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AMENDMENTS TO SCHOOL LUNCH ACT

HEARINGS BEFORE THE COMMITTEE ON EDUCATION AND LABOR HOUSE OF REPRESENTATIVES EIGHTY-SECOND CONGRESS FIRST SESSION

ON

H. R. 1732

A BILL TO AMEND THE NATIONAL SCHOOL LUNCH ACT
WITH RESPECT TO THE APPORTIONMENT OF
FUNDS TO HAWAII AND ALASKA

HEARINGS HELD AT WASHINGTON, D. C.
JULY 31 AND AUGUST 3, 1951

Printed for the use of the Committee on Education and Labor



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DAVID N. HENDERSON, Assistant General Counsel
RUSSELL C. DERRICKSON, Investigator

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AMENDMENTS TO SCHOOL LUNCH ACT

TUESDAY, JULY 31, 1951

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D. C.

The committee met, pursuant to call, at 10 a. m., in room 429 of the House Office Building, Hon. Graham A. Barden (chairman) presiding.

Present: Representatives Barden, Bailey, Howell, Steed, Wier, Tackett, Greenwood, McConnell, Gwinn, Kearns, Werdel, Potter, and Berry.

Present also: Fred G. Hussey, chief clerk; John S. Forsythe, general counsel; David N. Henderson, assistant general counsel; Russell C. Derrickson, investigator; John O. Graham, minority clerk; all of the Committee on Education and Labor.

Mr. BARDEN. The committee will come to order. Gentlemen, this committee was called together for the purpose of consideration of H. R. 1732, a bill introduced by Mr. Farrington. The bill will be inserted in the record at this point.

(H. R. 1732 is as follows:)

[H. R. 1732, 82d Cong., 1st sess.]

A BILL To amend the National School Lunch Act with respect to the apportionment of of funds to Hawaii and Alaska

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the second sentence of section 4 of the National School Lunch Act, approved June 4, 1946 (Public Law Numbered 396, Seventy-ninth Congress, 60 Stat. 230), is amended to read as follows: "The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds made available for such year for supplying agricultural commodities and other foods under the provisions of this Act, except that the total of such apportionments of funds for use in Puerto Rico and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program."

(b) The last sentence of section 5 of such Act is amended to read as follows: "The total of such funds apportioned for nonfood assistance for use in Puerto Rico and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for nonfood assistance in accordance with the provisions of this Act."

Mr. BARDEN. Mr. Farrington for some time has been urging that the committee take some action in connection with this bill as it related to the school-lunch program in Hawaii.

I am not familiar with the real purpose or the provisions of the bill to the extent of either recommending or disapproving, and so I thought the committee would be interested in Mr. Farrington appearing; and at the same time, I asked him to bring before the committee representatives from various departments interested in the matter.

Then I took the liberty of calling the Delegate from Puerto Rico to come in and attend the hearing, because I did not know just what effect it might have on the program as carried on in Puerto Rico.

I also called in the Delegate from Alaska, too, to appear before the committee.

From all I have heard from Puerto Rico, we certainly want to give it every consideration we would any other group. So, unless there is some objection, we will just proceed with the hearing, and Mr. Farrington will appear as the first witness.

Mr. Farrington, will you just go ahead and discuss this bill for the benefit of the committee?

**STATEMENT OF HON. JOSEPH R. FARRINGTON, A DELEGATE
TO CONGRESS FROM THE TERRITORY OF HAWAII**

Mr. FARRINGTON. Mr. Chairman, I wish to assure you at the outset that we are very grateful to you and the members of the committee for this opportunity to present our point of view on this legislation.

I have asked the Delegate from Alaska, Mr. Bartlett, to follow me with a brief statement, and the Resident Commissioner from Puerto Rico, Dr. Fernós-Isern, to do likewise.

I also have here representatives of the Department of Agriculture, which administers the School Lunch Act, and the Department of the Interior, which is responsible for the administration of the Territories.

I have set forth our point of view in a brief statement, and I would like the privilege of reading it to you.

The present School Lunch Act was adopted by Congress in 1946. It has proved the basis for the distribution of funds appropriated for Federal aid for school-lunch programs in the States, Territories, and possessions ever since. The amount received by each State has been determined, first, by the school population and, second, by the average per capita income of the people of the States.

The law limits the participation of the Territories and possessions to 3 percent of the total. After this total has been determined, the distribution of funds within this limit is determined on the same basis as the distribution of funds among the States. In other words, the amount received by Hawaii, Alaska, and Puerto Rico and the Virgin Islands within the limitation of 3 percent is determined by the school population and the average per capita income of the people within the Territories and possessions.

The obvious reason for placing this limitation in the law was to limit the participation of Puerto Rico and the Virgin Islands where the school populations were exceptionally high and the average per capita income was exceptionally low. The committee evidently felt that the Territories of Hawaii and Alaska should be covered into the same category because their political status was somewhat similar, and without realizing the penalty that would be imposed on the two Territories by this action.

The Territories of Hawaii and Alaska have, in consequence of this action, been severely and, I believe, unfairly penalized ever since. They have been compelled to bear the burden of the lower standards prevailing in Puerto Rico and the Virgin Islands.

We of Hawaii do not dispute the great needs of these funds in Puerto Rico and the Virgin Islands, but we do not believe it is right that the burden of these requirements should fall exclusively on Hawaii and Alaska. We believe that it should be shared by all of the States and Territories.

H. R. 1732 would accomplish this purpose. It would amend the School Lunch Act so as to remove Hawaii and Alaska from the provision of the law which limits their participation to 3 percent of the total funds available within Puerto Rico and the Virgin Islands. The limitation so far as Puerto Rico and the Virgin Islands is concerned would remain. The participation of Hawaii and Alaska would be on the same basis as the States in which the school population and the average per capita income compares very favorably.

Both the Territories of Hawaii and Alaska bear the same financial responsibilities as the States. Their people pay identically the same taxes as the people of the States. The total taxes normally paid the Federal Government by Hawaii exceeds that of from 10 to 12 States. More than \$1 billion has been paid by the people of Hawaii in taxes to the Federal Treasury since it became a Territory in 1900. The people of Puerto Rico and the Virgin Islands, on the other hand, do not pay Federal Taxes.

We of Hawaii—and I am sure this sentiment is shared by Alaska—believe that for this reason if for no other, we are entitled to participate in laws providing for Federal grants-in-aid on the same basis as the States. We believe that to subject us to the limitations that may be applied to Puerto Rico and the Virgin Islands is unfair.

We believe this applies with particular force to the school-lunch program, and appeal to you, as a matter of justice and fair play, to adopt the amendment proposed in H. R. 1732.

The merit of our position has already been recognized. In the Eightieth Congress a subcommittee of this committee held a hearing on this bill and recommended favorable action by the full committee. The committee was involved in such a bitter dispute over the Taft-Hartley law and other legislation involving industrial relations that the then chairman was unwilling to call a meeting of the full committee to consider this recommendation or any other prior to the time the Eightieth Congress adjourned.

The committee received then and has now reports from both the Departments of Agriculture and Interior recommending the adoption of this legislation. The administration of the school-lunch program is the responsibility of the Department of Agriculture, and the administration of the Territories and possessions the responsibility of the Department of the Interior.

During the Eighty-first Congress the chairman of this committee was requested repeatedly for a hearing on this legislation and agreed that it should be granted at the proper time. The "proper time" never arrived, apparently because of the sharp differences that prevailed within the committee on legislation relating to industrial relations and to Federal aid for education—for reasons with which you who were members of the committee at the time are infinitely more familiar than am I.

The present bill was introduced at the outset of the opening of this Congress in January. It is supported in new reports from the Depart-

ments of Agriculture and Interior. The representatives of these departments are present to testify in support of the bill.

The adoption of this bill would place participation of Hawaii in the school-lunch program on the same basis on which it participates in practically every other program providing Federal grants-in-aid, so far as I can ascertain.

For many years, Congress has recognized Hawaii's right to so participate as a matter of simple justice because the people of Hawaii are called upon to pay the same taxes as the people of the States. Thus it is that Hawaii participates on the same basis as a State—and has for many years—in legislation providing Federal aid for roads and the development of airports. The Territory similarly shares in the benefits of laws under which Federal funds are provided for the extension service, experiment stations, and similar services administered by the Department of Agriculture.

The adoption of this amendment, therefore, would be in keeping with well-established policy rather than a departure from it. It would give to the Territories of Hawaii and Alaska the funds to which they are entitled and which they both greatly need.

The Territory of Hawaii was a pioneer in the development of a school-lunch program. In the school year 1950-51, a total of 60,550 hot lunches were served daily to 67 percent of the school population of the Territory through 150 cafeterias at a cost of \$2,518,278.97. This sum was paid by the children. The cash contribution of the Federal Government was \$57,521.

The school population of the Territory of Hawaii is close to 100,000 pupils. The penalty we suffer as a result of the present law is graphically illustrated by comparing the amounts for food-assistance funds available for the fiscal year ending June 30, 1951, received by six States whose per capita incomes are the same as that of Hawaii. They include Idaho, with a school population participating in the program of 40,000, which received \$306,382; Arizona, with 40,000 children participating, which received \$414,193; Colorado, with 47,000 pupils participating, which received \$512,286; Maine, with 42,000 participating, which received \$425,952; Montana, with 25,000 school population participating, which received \$188,599; and Nebraska, with 47,000 participating, which received \$494,103. In contrast with this, Hawaii, with 60,000 school children participating, received only \$73,320.

In conclusion, I refer to a tabulation showing the total appropriation for all States and Territories, the amount received by Hawaii under the terms of the National School Lunch Act as it now stands, and the amount that would be received by Hawaii if this legislation were passed.

(Tables showing the apportionment by States of funds available for the national school-lunch program, 1951, and national school-lunch program apportionment of 1951 funds to Territories, and apportionment proposed by H. R. 1732 and amendment, are printed in this record at the close of this day's testimony.)

In 1947 a total of \$81,000,000 was provided for the school-lunch program and Hawaii received \$76,000. If the law had been changed we would have received \$226,750.

In 1948 the total provided was \$70,000,000 and we received \$91,683. If the law had been changed we would have received \$219,335.

In 1949 the total appropriation was \$75,000,000 and we received \$89,302. If the law had been changed we would have received \$235,322.

In 1950 the total appropriation was \$83,500,000 and the amount received was \$89,972. If the law had been changed we would have received \$211,317.

In 1951 the total appropriation was \$83,500,000 and we received \$73,320. If the law had been changed we would have received \$195,516.

I would like to incorporate in my statement, Mr. Chairman, a letter from the acting director of the home economics division of the Department of Public Education of the Territory of Hawaii, regarding this program; and also, a brief history of the school-lunch program.

(The documents referred to are as follows:)

TERRITORY OF HAWAII,
DEPARTMENT OF PUBLIC INSTRUCTION,
Honolulu, July 18, 1951.

HON. JOSEPH R. FARRINGTON,
*Delegate from Hawaii, Congress of the United States,
House of Representatives, Washington, D. C.*

DEAR SIR: This is in response to your request for information relative to the school-lunch program in the Territory of Hawaii.

Approximately 60,550 hot lunches, representing 67 percent of the total school population in 150 cafeterias, were served daily in 1950-51. This represents an increase of approximately 4,000 lunches served daily, or an increase of 3 percent over the year 1949-50. Total revenue of the program amounted to approximately \$2,518,278.97, \$57,521 of which was distributed in the form of subsidy provided through the Production and Marketing Administration of the United States Department of Agriculture. In addition, free commodities valued at approximately \$350,000 were distributed throughout the Territory. The average rate of reimbursement per lunch is 0.005 cent.

During the next biennium 8 new cafeterias are being planned which will bring the total number of cafeterias providing hot-lunch facilities to the children of the Territory up to 158. This will add considerably to the Territory of Hawaii's responsibility for providing these lunches, if additional Federal funds are not available for subsidizing the program.

Rising food and labor costs are also a concern if the present 15-cent lunch price is to be maintained. There has been an increasing need and demand for free lunches for children unable to pay. This is one of the responsibilities which individual schools are obliged to assume under the terms of the National School Lunch Act agreement.

Supervision of the program is the joint responsibility of school administrators and the home economics supervisory staff. The responsibilities of the supervisory staff may be outlined briefly as follows:

1. Duties

The director shall—

Be responsible for making and carrying out plans for the development and supervision of all public school cafeterias; and shall cooperate with the superintendent and the deputy superintendent for vocational education in the promotion of the cafeteria program. She shall make visits to all public schools and communities for the purpose of promoting the cafeteria program, determining the efficiency of the plant and equipment, improve cafeteria practices, and otherwise aid cafeteria managers and school administrators in strengthening the cafeteria program in the Territory.

The assistant director shall—

Be responsible for assisting the Director in carrying out the duties outlined above.

The district supervisors shall—

Be responsible for making supervisory visits to schools within the district specifically designated to her for the purpose of promoting cafeteria service; determining efficiency of plant, equipment, and food service; improving cafeteria

practices; and otherwise aiding cafeteria managers and school administrators in strengthening the cafeteria program.

Cafeteria managers shall:

Under the general direction of the school principal, be responsible for the selection of all foods and supplies; food preparation; food service; keeping necessary accounts prescribed by the school department; care of equipment and plant; and maintenance of sanitation and safety regulations in the cafeteria.

Duties of stenographic and clerical personnel are self-explanatory.

2. *Plans for inspecting operating programs*

1. Each operating program shall be inspected at least once each year by a member of the home economics department supervisory staff. The inspection of each program shall include—

- (a) A preliminary conference with the school administrator;
- (b) An inspection of plant and equipment;
- (c) A check on food standards;
- (d) A conference with the cafeteria manager;
- (e) A final conference with the school administrator when recommendations for the improvement of the program are indicated.

3. *Plans for training school lunch personnel*

Cafeteria managers shall be trained, as in the past, at the Honolulu Vocational School in a 2-year vocational trade course in cafeteria management.

An in-service training program for cafeteria managers shall be carried on throughout the Territory by the staff of the home economics department. A refresher course in cafeteria management shall be conducted each summer by the vocational division of the department of public instruction.

Since 1912, when the first public school cafeteria was established, the school lunch program has grown until at the present time nonprofit school-lunch programs have been established for approximately 97 percent of the children in our public schools. The growth of the program is a tribute in itself to the important role the school lunch plays in the health of Hawaii's school children.

In order to maintain this growing program at its present level, your aid is urgently solicited.

Very sincerely,

HELEN G. MCGILL,
Acting Director, Home Economics Education.

HAWAII'S PUBLIC SCHOOL CAFETERIA PROGRAM

The first reports of a cafeteria program in the public schools were made in 1912. At this time, or just prior to this time, the cafeteria program evidently began. Doubtless, in scattered sections of the Territory, some hot food was prepared by interested teachers or administrators, but in 1912, the superintendent reported a single cafeteria with daily sales of 118 lunches and 75 desserts. This was at the Territorial Normal School cafeteria where teachers were first trained to handle a cafeteria program. The aim of the cafeteria program at that time was to serve wholesome, nutritious food at the lowest possible cost. Throughout the years to follow, this aim was not changed and today, 39 years later, there are 150 cafeterias throughout the Territory, serving 60,550 lunches daily, representing 67 percent of the school population throughout the Territory.

Families apparently are cognizant of the value of this noonday meal, and much has been done over the years to improve the food habits of school children.

Many years have lapsed since the department of public instruction has employed itinerant nutrition specialists. Much of the work done previously by these specialists has been carried on by workers assigned to the home economics department and the health education division. To the classroom teacher must go much credit for teaching sound health habits. The Territorial Board of Health, the University of Hawaii, the Territorial Nutrition Committee, the Tuberculosis Associations, the Nutrition Service, American Red Cross, Hawaii Chapter, and many other agencies have given valuable assistance in promoting nutrition education in the public schools of the Territory.

Administratively, under the direction of the deputy superintendent for vocational education, the superintendent, and the commissioners of public instruction, the home economics department is responsible for the promotion, development, and supervision of the cafeteria programs in the public schools.

Cafeteria buildings are planned, constructed, and maintained by the several counties throughout the Territory.

During the past 14 years the Territory has gradually assumed the whole responsibility for cafeteria managers' salaries. At one time, the greater part of many managers' salaries was borne by cafeteria funds. At present, salaries of all cafeteria managers are paid from Territorial funds, which makes it possible for a larger percent of cafeteria revenue to be used for food.

Since 1943 the cafeteria program has been subsidized by Federal funds. Individual cafeterias are subsidized according to the need for this assistance. However, food standards set up by the Federal Government must be met in order that a cafeteria be subsidized. One field program supervisor was provided from Federal funds in 1945. Funds for this worker were withdrawn in 1947 and the Territory has again assumed the full supervisory burden in addition to supplying clerical assistance.

Mr. FARRINGTON. That completes my statement.

Mr. BARDEN. Mr. Farrington, in drawing your bill, did you give any consideration to the conditions existing in Puerto Rico and the Virgin Islands, or were you just giving study to your own problem?

Mr. FARRINGTON. The bill was drawn with the assistance of the Department of Agriculture, and the Department of the Interior, and they have approved it with a minor amendment, which is incorporated in the Department of Agriculture report. My interest, of course, was primarily to free Hawaii from the present limitation so that it would participate on the same basis as the States.

Mr. BARDEN. According to the letter that comes from the Secretary of the Interior, it does look as though Hawaii is being penalized, and I believe for the information of the committee I will just read this letter from the Department of the Interior:

JULY 10, 1951.

MY DEAR MR. BARDEN: Further reference is made to your request for the views of this Department on H. R. 1732, a bill to amend the National School-Lunch Act with respect to the apportionment of funds to Hawaii and Alaska.

H. R. 1732 would remove Alaska and Hawaii from the provisions of sections 4 and 5 of the National School Lunch Act (60 Stat. 230; 42 U. S. C., 1946 ed., secs. 1753, 1754) which limit the total amount made available to Alaska, Hawaii, Puerto Rico, and the Virgin Islands to 3 percent of the funds appropriated annually for the school-lunch program.

In its report to your committee dated June 6, 1951, the Department of Agriculture suggests amendments to the bill which would mitigate the effects of the 3-percent limitation with respect to Puerto Rico and the Virgin Islands by adding a proviso that in each year's initial apportionment, the per capita allotments per child of school age in Puerto Rico and the Virgin Islands shall not be less than the per capita allotment per child of school age in the State (other than Puerto Rico or the Virgin Islands) with the lowest per capita income.

This Department urges the enactment of H. R. 1732 with the amendments proposed by the Department of Agriculture.

Had the provisions of H. R. 1732, together with the proposed amendments of the Department of Agriculture, been operative during the fiscal year 1951, Hawaii would have received \$195,516 instead of \$73,320, Alaska would have received \$28,134 instead of \$10,551, Puerto Rico would have received \$2,539,650 instead of \$2,377,490, and the Virgin Islands would have received \$45,151 instead of \$43,639. The copy of the report of the Department of Agriculture is returned in accordance with your request.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

DALE E. DOTY,
Assistant Secretary of the Interior.

Now, Mr. Farrington, just what would be the difference, now, in your method of figuring the amount due in Puerto Rico, to a child in Puerto Rico, for instance, from what it would be in Hawaii?

Mr. FARRINGTON. The method of figuring would be the same, but we would be freed from the 3 percent limitation.

Mr. BARDEN. The 3 percent limitation, as I understand it, is that you take the 3 percent and apply the formula, and then each one takes its cut in proportion, does it not?

Mr. FARRINGTON. That is right. The answer to that is to be found in the figures on the average per capita income which are shown in the Department of Agriculture report to the committee.

It says:

The latest per capita income figures, certified by the Department of Commerce at the time of the apportionment of fiscal year 1951 funds, reported Puerto Rico's per capita income as \$304 and the Virgin Islands' as \$182, compared to a United States average of \$1,401.

The level of income was \$1,976 in Alaska, and \$1,503 for Hawaii. In other words, Alaska is far above the national average, and we are well above the national average. And when they calculate the funds to which we are entitled within that limitation, with Puerto Rico and the Virgin Islands and their very low per capita income, we are severely penalized. The burden of that, in our opinion, should be borne by all of us; and I do not say that Hawaii should not pay its share, but I think the other States should do likewise.

Mr. WERDEL. You are referring, as does the law, to the relative position of national income in those areas?

Mr. FARRINGTON. That is right.

Mr. WERDEL. Whereas, as I understand the bill, it is not drafted with the idea that States or Territories would get money in accordance with the amount of taxes they pay, which you paid particular attention to. I think that we ought to give consideration to the great difference that is growing between the cost of living, say, in Alaska, and the Virgin Islands.

You mentioned the Alaska income is relatively high, but its cost of living is very much higher. That is, the same amount of money that a few years ago might take care of a lunch program adequately in those areas, cannot do it; whereas it can still do it in Puerto Rico and the Virgin Islands. I am wondering if we cannot get some figures showing us what the cost of living is in these areas.

I know men in the building and construction trades that have gone into Alaska, and one of them is getting \$5-and-some-thing an hour, and he is not saving much money, and he gets a \$5 per day living allowance on the job, because of the cost of living.

I think we ought to get some figures on that.

Mr. FARRINGTON. We are not asking that that factor be introduced; we are asking only what we participate on the same basis as the States.

Mr. BARDEN. Gentlemen, I am not monopolizing this, and anyone who wants to ask any questions, please cut right in.

Mr. BAILEY. I would like to ask the gentleman and his associate; the Delegate from Alaska, if they want the committee to understand they have abandoned the idea of statehood for Alaska and Hawaii?

Mr. FARRINGTON. Not in the least; you can be sure of that.

Mr. BARDEN. Perhaps we had better not bring that in.

Mr. FARRINGTON. Mr. Chairman, I took particular care to meet your objections to that in my opening statement.

Mr. BAILEY. There is one point that I would like to have the gentleman clear up. In all of your legislation proposed to date,

you have left Alaska and Hawaii out of that 3 percent limitation, and you want them moved over and put on an equal footing with the other States. Now, are you going to leave that 3 percent available there for use in Puerto Rico and the Virgin Islands?

Mr. FARRINGTON. Yes, sir.

Mr. BAILEY. You do not bother that 3 percent, and you just leave it as it is?

Mr. FARRINGTON. Yes, sir.

Mr. BAILEY. That would liberalize the allocation to them and cut you in on an equal basis with the other States?

Mr. FARRINGTON. Yes, sir.

Mr. BAILEY. Is that not plain?

Mr. FARRINGTON. That is my understanding of it.

Mr. BAILEY. Putting it in a few words, that is what you propose?

Mr. FARRINGTON. Yes, sir.

Mr. BAILEY. It would take Alaska and Hawaii out of this limitation of 3 percent, leaving the 3 percent available for Puerto Rico and Virgin Islands, and it would put Alaska and Hawaii on the same basis as the 48 States.

Mr. KEARNS. And Puerto Rico benefits, too; and the Virgin Islands.

Mr. BAILEY. Because they would have the 3 percent, and formerly they had Alaska and Hawaii cut in on that.

Mr. KEARNS. Mr. Chairman, Mr. Howell and I were in Puerto Rico, and we observed it there, and I imagine it is operated similarly in Hawaii; and those children down in Puerto Rico, of which they have 700,000 of school age out of a population of 2½ million, in many instances it is the only hot meal they get a day, and it is a marvelous thing. It seems to me that the Congress, in my opinion, does not appropriate money for any better cause than it does for these children.

We inspected the kitchens, and they are kept clean, and the food was good, and those children could just have all they wanted. There was not any question of limitations or portions, or anything like that.

I personally feel that in the setting up of this set-up here, we have certainly penalized Hawaii and Alaska in the provisions of the bill.

Mr. BARDEN. Let me say this: I do not know why it is, but it seems to be an accepted view in this country that we will just pass along what is left to our possessions, and I do not like and I never have liked it. I think it is not only foolish, but dangerous.

Somebody in this Government ought to lower their sights a little bit. We are looking 4,000 miles across the sea and looking right over the heads of folks who are in much worse condition than those that we are showering our benefits on.

This 3 percent—and I do not claim to be an expert in this—I do not think that idea to begin with. I do not see why we should regard 3 percent as being some sacred figure that we cannot change, and I do not see why there should be a limitation on it.

If the school-lunch program is for the specific purpose, and the Congress has declared its policy to be so on this, why should we say we are going to give half a lunch to one group and a full lunch to the other group? Or feed half and let the other half go hungry?

I see no reason on earth why any child in Puerto Rico and the Virgin Islands should not have exactly the same consideration as any child in Hawaii or Alaska, and I am reluctant to lift out or create

any preferred group. I am very much in favor of bringing them all up, and letting them have the same benefits that the school children in America have, because there is not many years' difference between a school child in Puerto Rico and his being a resident of New York, and we might just as well recognize that.

Mr. McCONNELL. I would like to clarify just what that limitation does, in respect to the children of Puerto Rico and the Virgin Islands as to the quantity and quality of the lunch they would receive, that is, compared with the States, we will say, or with the proposal here for Hawaii. Let somebody tell us, if they can.

Mr. FARRINGTON. I am unable to do that. I think the Department of Agriculture representatives probably are in a better position to answer those questions than I am.

Mr. BARDEN. They have some representatives here.

Mr. McCONNELL. What I am getting to is this: They seem to be generally satisfied with this bill, and if they are, does that mean that they are satisfied with some minimum quantity and quality for the children in Puerto Rico, and the Virgin Islands, or not? How does this operate?

Mr. FARRINGTON. The report of the Department of Agriculture points out that if there were no restrictions in there, Puerto Rico and the Virgin Islands would obtain, under this formula, 10 percent of the total of all funds. And the purpose of the restriction in the beginning was to prevent Puerto Rico from participating to such a large extent.

Mr. WERDEL. Why?

Mr. BARDEN. That is what I want to know, is why? Has anybody advanced any sensible reason as to why?

Mr. GWINN. The reason is pretty obvious, if you have ever been to Puerto Rico, that they live comparatively well on 20 cents on the dollar compared to us, if they have it.

Mr. KEARNS. Living costs are higher in Puerto Rico than they are here, as far as buying foods, and these people who were down there know about it. They are penalized purely because, you remember, they do not come under the minimum wage bill in Puerto Rico, and that is why their per capita income is low, where Hawaii and Alaska are in different positions there.

Mr. McCONNELL. Cannot someone here in authority, or with knowledge, tell us what happens to the lunches in Puerto Rico and the Virgin Islands if the amount of the appropriations is not sufficient?

Mr. FARRINGTON. The representative of the Department of Agriculture, from the Office of the Administrator of the School Lunch Program, is here, and he can inform the committee of those details.

Mr. BARDEN. Right now, let me ask you this question: Would it be perfectly agreeable to you to strike out the 3 percent limitation and let Puerto Rico, the Virgin Islands, and Alaska and Hawaii, and all, come under the same thing?

Mr. FARRINGTON. My answer to that is that the status of Puerto Rico and the Virgin Islands is very different from that of Alaska and Hawaii and should be taken into consideration.

Mr. BARDEN. It always will be, if we continue to treat them differently economically; and here we are trying to rebuild the whole darn world except our own, and then we say that they are different.

Well, they were different where every one of us come from, 15 or 20 years ago, but we say we have bettered conditions by legislation.

Now, I do not understand the philosophy or the reasoning that says everybody but Puerto Rico and the Virgin Islands have a chance to improve themselves, and we are not going to give them a chance.

Mr. FARRINGTON. Well, I do not want to speak for Puerto Rico, but I know from personal knowledge that the standards of education and living in Puerto Rico are far below ours.

I hope that steps will be taken to bring them up to ours, but I do not think that it can be accomplished in too short a time.

Mr. BARDEN. How did yours get so far ahead of Puerto Rico?

Mr. TACKETT. They got the teachers out of Arkansas.

Mr. FARRINGTON. The Territory of Hawaii was settled by Americans in 1820, and for more than 100 years it has developed in the pattern of American life. We have achieved standards in our agriculture which are beyond those of any other place in the world. In many other fields we excel many of the States. We carry all of the responsibilities of the State, financial and otherwise, without the privileges of a State. Our development is the result of the influences that have been at work there through all of these years. That is the answer to your question.

Our people pioneered Hawaii as they pioneered the far West, and in fact, were out there before they were in California. They have developed for this country an outpost of great strength from every possible standpoint. And it is reflected in many ways, not the least of which is our average cost of living.

Mr. BARDEN. Understand, I am not quarreling with you on the lunch fund. I am perfectly in accord with you, and I want you to have just exactly what you are asking for, so far as that is concerned.

But let me say this: I have never been to Puerto Rico, I have no interest there except just the plain human interest, but I do feel that instead of assuming that they will never get any better or that their condition will never improve, I think it would be a little bit more in line and in keeping with certainly our present policy to assume that they can be improved, and let them have a chance to improve, because they are pouring into New York, and there is no necessity for us sitting down here fussing about some kind of folks they send down here to represent them, when they are doing the best they know how.

Mr. FARRINGTON. I am in favor of doing for them everything we possibly can.

Mr. BAILEY. From your statistical table, give me the allocation to Puerto Rico for last year.

Mr. FARRINGTON. I do not have that, Mr. Bailey.

Mr. BAILEY. I thought you were reading from it.

Mr. BARDEN. I can give you that. For last year, Puerto Rico was \$2,377,409.

Mr. BAILEY. What was the allocation?

Mr. BARDEN. They would have received, under this bill, if this bill had been passed, \$2,539,650. There is about a \$200,000 difference. But it would make quite a difference, and it would about double Hawaii's.

Mr. FARRINGTON. If you remove the limitation, Puerto Rico and the Virgin Islands would get 10 percent of \$83,500,000, and that all comes out of the States. Whether or not that additional fund should be provided to Puerto Rico is something for you to decide, and not me. And I am for giving Puerto Rico everything we possibly can.

Mr. GWINN. I think that you said you never had been to Puerto Rico, and I think it rather looks as if Mr. Farrington has never been to Puerto Rico. I do not believe he pretends to be representing Puerto Rico.

Mr. FARRINGTON. I do not represent them, of course.

Mr. GWINN. As you indicate, they are ready to speak for themselves, and why should we not dispose of this witness and proceed to Puerto Rico?

Mr. BARDEN. We will give you a recess, and we may call you back.

Mr. FARRINGTON. Thank you very much, Mr. Chairman.

Mr. Bartlett has a brief statement in line with mine, and Mr. Fernós-Isern is here, also.

Mr. GWINN. Mr. Farrington, I think we are all delighted to hear that your per capita income exceeds that of the United States. I am wondering why we cannot work out a tax system to help us.

We are getting in the dependent group here, and you fellows are prospering out there.

Mr. FARRINGTON. We are just above the average, and there are some States that are higher than we are.

Mr. GWINN. Have you ever figured out whether Hawaii would not be better off to repeal this school-lunch program? You are going to be taxed a disproportionate amount. You are going to pay out of Hawaii more than you get back?

Mr. FARRINGTON. Well, Mr. Gwinn, if you would exempt us from all Federal taxes, we might be willing to surrender our participation in the Federal-aid program, and we probably would be far ahead. I do not think that that is the solution of our problem, or at least, I have not given up the hope that Congress, in its wisdom, will ultimately realize the great value that would come from making Hawaii a State.

Mr. GWINN. I agree with you that it is obvious, on the figures, that you ought to be treated like the other States, but I understood this school-lunch program to have been one of those temporary programs that was supposed to expire long before this. Did you understand it that way?

Mr. FARRINGTON. I am not informed about the intention of those who inaugurated this program.

Mr. WERDEL. I would like to ask one question, in the light of some of the discussions yesterday.

If we make Hawaii a State, in your opinion will it be contiguous to California, will the boundaries be contiguous? Who will own the waters between California and Hawaii?

Mr. FARRINGTON. We will concede you everything beyond the 3-mile limit.

Mr. BARDEN. Gentlemen, I think the argument is going to sea. [Laughter.]

We will hear from Mr. Bartlett at this time.

STATEMENT OF HON. E. L. BARTLETT, A DELEGATE IN CONGRESS FROM THE TERRITORY OF ALASKA

Mr. BARTLETT. My name is E. L. Bartlett, Delegate in Congress from Alaska.

Mr. Chairman and members of the committee, I appreciate the opportunity of appearing before you to urge favorable consideration of H. R. 1732. I shall not make an extended statement. To do so

would be only to subject you to needless repetition, because Delegate Farrington has stated the case concisely and accurately, in my opinion.

Measured in dollars, the injustice done Hawaii under the existing law is much greater than to Alaska. Last year, under this program, Alaska received \$11,684. If H. R. 1732 had been law, it would have received \$28,904.

This year we received \$10,551; and under the provisions of H. R. 1732, we should have received \$28,134.

But the discrimination exists, nonetheless, and I feel very keenly in harmony with the views that Mr. Farrington presented, that the incorporated Territories ought not to be placed in a special category. They ought to be treated in these matters exactly as the 48 States are.

As Delegate Farrington said, all laws of national application extend to Hawaii and Alaska, and we pay all of the Federal taxes required from the States, so I think that we ought to be treated on a basis of equality in a program such as this.

I hope that the bill will be favorably reported by this committee, and subsequently enacted into law.

I think that that is all I have, Mr. Chairman.

Mr. BARDEN. Mr. Bartlett, have you studied the question closely enough to answer this question: Would not the removal of the 3 percent limitation solve the problem?

Mr. BARTLETT. Speaking of that, of course I do not know what its effect would be on Puerto Rico, and if I did, maybe I would not be qualified to give an opinion on it, but I have, for what it is worth, a general view that Americans everywhere ought to be treated alike.

You indicated a while ago that you felt that way. I very strongly do.

Mr. BARDEN. I understand that Puerto Rico has a whole division in the Korean War; is that correct? I understand it is a regiment, that is, 5,000 men. That is more than Great Britain has in there, is it not? How many men has Great Britain in that thing?

Mr. HOWELL. They have got more than 5,000, I think. My impression is it is around 21,000,—air, land, and sea; it is 21,000 to 23,000.

Mr. BARDEN. That is about as wide a range as you usually get when you ask a whole group of Congressmen a question.

Mr. BAILEY. May I ask Mr. Bartlett a question?

Your small participation is due to your higher income per capita?

Mr. BARTLETT. Our income, as you notice from Mr. Farrington's figure, is very high; but also, as indicated previously, that is more or less meaningless, because the cost of living likewise is tremendously high. In February of this year, according to a survey made by the Bureau of Labor Statistics, the cost of living in Fairbanks was 47 percent higher than Seattle, Wash.; and in Anchorage, the principal scene of military activities in Alaska, the cost of living was 40 percent higher in that same month of this year than in Seattle.

Mr. WERDEL. Why do we have a formula to disburse these funds on the basis of income when, if you have a higher average income, your taxes for the area are higher? Now, if we have a fund of this kind in the United States, I am wondering why we do not disburse it on the basis of the cost of living as near the local areas as we can get?

Mr. BARTLETT. I must say that I do not know the philosophy that went into the production of the bill which is now law. I have never reviewed it, and I simply do not know enough about it to give you an intelligent answer on it. I think that you have a valid point, however.

Mr. VAIL. Would you say there was a substantial difference in cost between school lunches in Hawaii and Alaska? For example, Hawaii is a fruit country and Alaska is restricted to snow and ice.

Mr. BARTLETT. I think it would depend on the lunch.

Mr. VAIL. I would imagine in Hawaii they can reach up and get a pineapple or crack a coconut.

Mr. BARTLETT. We can pick a lot of cranberries and blueberries, and we could feed those to the children all winter, and that would be pretty cheap, too.

Mr. GWINN. We are getting an education in this school-lunch business. What do the children in Alaska get for school lunches, and where does it come from?

Mr. BARTLETT. Most of it, unfortunately, is shipped from the States, and we do not produce enough there in agricultural products to feed our own people, and so, a substantial portion of everything that is consumed in the Territory by way of food has to be shipped in; and, of course, that adds to the cost.

Mr. POTTER. Are they feeding these children dehydrated eggs or powdered eggs?

Mr. BARTLETT. I have eaten them several times, and I hope not.

Mr. GWINN. Is not the theory applicable to the school lunch applicable to all of us, primarily the surplus agricultural commodities, and you should be receiving a lot of cereal and potatoes and that sort of thing.

Mr. BARTLETT. I assume that that is the case. I know that the Alaska Native Service of the Bureau of Indian Affairs particularly is sharing in that type of program.

Mr. GWINN. Roughly how much Federal taxes does Alaska pay to the Treasury of the United States?

Mr. BARTLETT. I hope you will not hold me to this figure, but my rather vague recollection is that we paid \$16 million last year; and I should emphasize there, that is not a fair statement of the contribution made by the economy of Alaska to the Federal Treasury, because our big salmon corporations, and our big gold mines, and our big contracting firms which are doing business on a very large scale in Alaska, have their headquarters offices elsewhere, and Alaska gets no credit for the income taxes paid. So I should say that the figure, if it could be properly applied, would be around double that, or perhaps much more, even, because of so much contracting work going on at the present time.

Mr. GWINN. If you pay \$16 million to the Federal Government, your income is very high, and therefore your relative contribution is very high.

Mr. BARTLETT. Yes.

Mr. GWINN. And your cost of living does not bring down your tax burden, does it?

Mr. BARTLETT. That is correct.

Mr. GWINN. You never get back more than 20 percent of the money you pay out, in any form of Federal aid?

Mr. BARTLETT. No.

Mr. GWINN. That means that Alaska, in order to get this miserable little school-lunch figure of \$28,000, will pay out several times that in taxes to get it back?

Mr. BARTLETT. I think that that is illustrated very well by what went on in the road program in the Territory, if I may just take a moment on that. We are the only area within the whole United States that is not included within the several Federal Highway Aid Acts, and so, all during the 1920's and the 1930's, we only had minor appropriations made to the Department of the Interior for roads.

Then at the start of World War II, on account of military necessity, we had to spend a lot of money, and we are still spending it, which, if it had been done before, would have enabled us to have a network of roads at a much lower cost to the taxpayers.

So that was a discrimination against the Territory which, in the long run, cost the Federal Government a lot of additional money.

Mr. GWINN. Then you would be much better off to get rid of all Federal aid and keep your money for yourself, and you would have a lot more money to spend in Alaska, would you not?

Mr. TACKETT. That has not a thing to do with this. We are not going to end Federal aid.

Mr. BARDEN. May I interrupt for this purpose, and I would not do it were it not for the fact that Dr. Fernós-Isern must go to a sugar hearing, and he is very much interested in this Puerto Rican situation.

Mr. BARTLETT. Thank you very much.

Mr. BARDEN. I did not know that your time was running so short, Doctor.

STATEMENT OF DR. A. FERNÓS-ISERN, THE RESIDENT COMMISSIONER OF PUERTO RICO

Dr. FERNÓS-ISERN. I have a prepared statement based on just what the bill is for, but I think that I should speak extemporaneously now because of the discussion that has gone on here.

In the first place, I have never understood really what the reason for the 3-percent provision in the school-lunch law has been. Evidently, it was not a matter of whether taxes were paid to the Federal Government or not by the Territories or possessions, because Hawaii and Alaska do pay taxes and they are in with us in that 3-percent category.

If the criterion were need, then certainly it would have worked the opposite way, and we might have been classed in the 97 percent, and the States in the 3 percent, because the need is so much greater in Puerto Rico than anywhere else under the flag.

My position in my prepared statement was simply to favor the bill inasmuch as it helps Puerto Rico somewhat, modestly contenting ourselves with this slight gain. However, I cannot in any way say anything that would deter from the words of the chairman, in the sense that the need in Puerto Rico is very great, and that Puerto Ricans are citizens of the United States, and that the young child attending school there in a few years may not necessarily be there but may be in New York or as far west as Oregon or even in Hawaii, and even in Korea.

The situation in Puerto Rico is that if Puerto Rico were to pay Federal taxes, then again I say the school-lunch law would have to

be amended so that we got 97 percent. We certainly would not have any tax basis left in the island, with a low per capita income, as has been said here before, of only \$304 per capita, with 400,000 children in the schools and 300,000 out of school because of lack of facilities and lack of resources to create the schools and pay the teachers.

The cost of living in Puerto Rico is higher than in Washington, D. C. The reason is that we have only 3,500 square miles of territory, and we have 2,200,000 inhabitants and import more than 50 percent of our food.

One of the differences between Hawaii and Puerto Rico is that Hawaii has almost twice as much territory as we have, almost twice as much land, and they have only about less than one-fourth our population.

Of course, the reason may be, as Mr. Farrington said, that the pioneers went to Hawaii only in 1820, and the pioneers went to Puerto Rico in 1508, and there has been a lot more pioneering in Puerto Rico than in Hawaii, and the land has not increased itself as the population has. The land is the same all of the time.

Well, if the bill were amended to put not only Hawaii and Alaska, but Puerto Rico and the Virgin Islands, on the same basis with the States, it would mean about twice the amount for Puerto Rico that we get now. It certainly would be a godsend, a tremendous help, and it would help greatly to create better citizens.

However, if it is considered that in doing that, the bill might be jeopardized, then I would patiently, as in every other case, be willing to compromise and say, "Very well, let Alaska and Hawaii get their share as the States do, and at least what they would not get out of the 3 percent we would get, and that would be a help."

Mr. McCONNELL. May I ask a question, and I have asked it before.

This limitation of 3 percent does what to the quantity and quality of lunch received by the children of Puerto Rico? Do you limit the number of children receiving the food, or do you give less to a larger number of children, or how do you work the limitation?

Dr. FERNÓS-ISERN. Well, it is like this: This is a joint program. The Federal Government contributes a share, and the government of Puerto Rico contributes a share to the program. Now, the question is: How to stretch the money to take care of all of the children in school, or whether you can increase your insular government contribution to the point where you take care of all of the children properly.

I am afraid that what we are doing is just spreading it thin, because we cannot just appropriate out of our own money very much more.

Mr. McCONNELL. You are trying to give less to a larger number of children?

Dr. FERNÓS-ISERN. That would be the only way.

Mr. WIER. Do you have many children attending school, and do you have compulsory education, that all children within certain ages have got to go to school?

Dr. FERNÓS-ISERN. I did not quite get the question.

Mr. WIER. Do you have compulsory education in Puerto Rico?

Dr. FERNÓS-ISERN. We have compulsory education, but—

Mr. WIER. You do not have the buildings?

Dr. FERNÓS-ISERN. That is right. And rather than make the children go to school, the children who want to go to school make the government create more schools for them.

Mr. WIER. You say you have 400,000 children attending school, out of 700,000?

Dr. FERNÓS-ISERN. Yes.

Mr. WIER. Are all of the 400,000 children participating in the lunch program, or are some of them not?

Dr. FERNÓS-ISERN. All those who seem to have a need. I would not be able to say what figure out of the 400,000.

Mr. WIER. Then there are school children that are not participating?

Dr. FERNÓS-ISERN. I am certain of that, not all of them do, maybe because they have food at home.

Mr. BAILEY. Mr. Chairman, may I clarify some of our thinking here?

The present item in the budget appropriation for the lunch program is \$83,500,000, and your 3-percent limitation applied to these four Territories would be \$2,505,000, and that is 3 percent of \$83,500,000.

Last year Puerto Rico got \$2,377,000 of that, leaving only \$128,000 for Alaska, Hawaii, and the Virgin Islands.

All this would do would be to give Puerto Rico and the Virgin Islands approximately a little less than \$100,000 that has been allocated to Alaska and Hawaii, and they would benefit to that extent. That is all that is involved.

Mr. BARDEN. May I, at the risk of opening up something that is not exactly connected here, ask the doctor a question. How much sugar do you raise in Puerto Rico now?

Dr. FERNÓS-ISERN. Well, our production is about 1,300,000 tons.

Mr. BARDEN. How much could you raise?

Dr. FERNÓS-ISERN. Probably we could go up to 1,500,000 tons, if we had the quota. Now, our quota is only 910,000 tons to sell in the mainland, and we are producing 110,000 to sell in Puerto Rico itself for local consumption; and we are producing, and we have been producing for 3 or 4 years, 200,000 tons up and above that, and we have had a terrific time finding ways to sell it because of the quota provisions.

Mr. BARDEN. I am not digging anybody or trying to irritate anybody, but what is Cuba's quota?

Dr. FERNÓS-ISERN. Cuba gets whatever would be the difference between the domestic production, under the quota, in the whole United States, and the consumption. Well, that is an average of 3 million tons a year.

Mr. BARDEN. It has interested me for a good long time, how on earth we could arrive at that.

Mr. TACKETT. As long as Louisiana can encourage people to do that.

Mr. BARDEN. I cannot see how Louisiana would want Cuba to produce 3 million tons, and we cut Puerto Rico to 900,000 tons. I never have understood it, and Puerto Rico is our own.

Mr. BAILEY. There is an import quota set up under the reciprocal trade agreement.

Mr. BARDEN. I wish they would trade that word off for a 10-cent word. That word has gotten to be a 60-cent word, and it covers a lot of problems with me.

Mr. KEARNS. If the chairman will yield there.

What portion of the sugar goes into rum?

Dr. FERNÓS-ISERN. No part of it. Rum is made out of blackstrap, which is a byproduct.

There is something that I might add there, for the information of the committee, since we are on this question, that out of the 910,000 tons which Puerto Rico is allowed to sell in the mainland, we may sell only 126,000 in a refined form. The rest must be sold raw.

Mr. BARDEN. You mean you cannot refine but 126,000 tons?

Dr. FERNÓS-ISERN. Out of the amount we send to the mainland.

Mr. BARDEN. And the rest of it must be sent to the mainland where where the labor of the mainland gets the benefit of refining it?

Dr. FERNÓS-ISERN. We have been under that limitation since 1934, as I understand it, although consumption has increased 1,800,000 tons from that time to now, the annual consumption now is 1,800,000 above what it was.

Mr. BARDEN. How much could you refine down there?

Dr. FERNÓS-ISERN. At present, with the present refining capacity we have, we could refine 450,000 tons, which is twice what we are refining. But, of course, nobody is going to start a refinery in Puerto Rico now if he is not going to be allowed to refine. We simply cannot expand our refining capacity.

Mr. BARDEN. That gets me.

Mr. POTTER. To get back to the bill, Doctor, I believe the statement was made that if the 3-percent limitation were removed for Puerto Rico and the Virgin Islands, you would then receive 10 percent of the total funds appropriated for the school lunch program; is that true?

Dr. FERNÓS-ISERN. That is what I am informed, and I could not vouch for it, and I have not seen the figures.

Mr. POTTER. That means that if the 3-percent limitation were removed, then Puerto Rico and the Virgin Islands would receive 10 percent of the total appropriation for the school lunch program?

Dr. FERNÓS-ISERN. I think that that is correct.

Mr. BAILEY. Again, let me emphasize that if you remove Alaska and Hawaii from this 3-percent limitation, they will move over into the category along with the other 48 States, and whatever that allocation is that they would be entitled to, it will have to come out of the general distribution for 50 instead of the original 48 States.

On the other hand, all it will do will be to benefit the Virgin Islands and Puerto Rico in the amount that is now being allocated to Alaska and Hawaii. That is all this legislation does.

Mr. POTTER. My question was relating to the statement of the chairman about the 3-percent limitation.

Mr. BARDEN. Let me ask you this question: Puerto Rico puts up some funds in this program, and, with an economy such as it is down there, there must be a limitation as to how much they could contribute.

Dr. FERNÓS-ISERN. That is exactly correct.

Mr. BARDEN. So they could not match but just so much, could they?

Dr. FERNÓS-ISERN. That could be the case, although the investment should be so profitable, that Puerto Rico would squeeze some money out of its revenues and put it into this program, to make sure to get that much money from the Federal Government. Puerto Rico would try to find a way to do it, because it would mean so much for the children.

MR. BARDEN. If the bridle was taken off of Puerto Rico in the production and refining of sugar, would that, with its collateral industries, and so forth, tend to solve the economy of Puerto Rico, or confuse it?

DR. FERNÓS-ISERN. Mr. Chairman, if the sugar industry of Puerto Rico could develop to its maximum, and if the quota did not stop us from doing it, the increase in raw sugar production would mean an income to Puerto Rico, let us say, just to 1,200,000 tons, mainland quota, it would mean an increase of about \$30 million a year.

Now, sugar refining would add \$30 million more. So by simply allowing Puerto Rico to produce sugar to its capacity, and refine the sugar, we would be adding no less than \$60 million a year income to the economy of Puerto Rico, out of which, of course, taxes would come.

MR. GWINN. Mr. Chairman, you overlook another fact. If you increase Puerto Rico's income by \$24 million, within 10 years you will have an increase of population that will come right up to the same level that you have today, will you not?

DR. FERNÓS-ISERN. That is possible, although it has been shown everywhere that as you increase, you raise the level of existence, as the standard of living goes higher, the birth rate goes lower.

MR. GWINN. Has that been true in Puerto Rico? That is an interesting question.

DR. FERNÓS-ISERN. It has been true in this sense: There have been studies made, and groups of people above \$1,000 income a year have a much lower birth rate than those below \$1,000 income a year. Those living in the countryside have a higher birth rate than those living in the cities. It is industrialization, higher standard of living, and a change in the pattern of life, what makes for a lower birth rate. And there is always a lag between death-rate decrease and birth-rate decrease in every country where modern civilization starts: There is first a decrease in the mortality rate, in the death rate, and that has already happened in Puerto Rico. And there is always a lag, but right following it there is a decrease in the birth rate if the development of the country goes ahead in industrialization and urbanization, and if it does not stay just under the efficient measures of public health, but does not attain higher standards of living.

MR. GWINN. Doctor, the United States has been in Puerto Rico now all of these years, and your population has increased enormously during that period, has it not?

DR. FERNÓS-ISERN. We have doubled our population in 40 years, while the United States has doubled the population in 50 years, so we have been going a little faster.

MR. GWINN. As a result of raising the economic income of Puerto Rico, you have doubled your population, and now you have nearly half of your school children out of school.

DR. FERNÓS-ISERN. We have nearly that many out of school.

MR. GWINN. Does this school-lunch program benefit the children who are not in school at all?

DR. FERNÓS-ISERN. No, sir.

MR. GWINN. That is the discouraging factor, to me. The more we give, the more we have to feed and fewer are fed proportionately, apparently.

DR. FERNÓS-ISERN. I do not see any other way but to industrialize rapidly, and that is why I believe it is unfortunate that right there where we could industrialize the easiest, which is in sugar, we cannot

industrialize. We are trying all other things than sugar, although with a good deal of difficulty. That is one of the solutions.

The other is a temporary matter, migration. It is either we create a way for the people to live in Puerto Rico and stay there, or they will leave the island. There is no other way out.

Mr. BARDEN. And they go to New York.

Dr. FERNÓS-ISERN. They are going everywhere.

Mr. BAILEY. In order to expedite matters, I move we accept the amendment proposed by the Department of Agriculture and report this bill out favorably, with instructions that it do pass, and with the necessary instructions to the chairman to get the necessary rule.

Mr. McCONNELL. Mr. Chairman, I wish to second that motion.

Mr. BARDEN. I like speed, all right, but we have not heard from either of the Departments.

Mr. BAILEY. They do not object to the bill, do they?

Mr. BARDEN. No, but I wonder if the committee would want to give any consideration to the question of whether you increase the 3 percent remaining to 4 percent, and going beyond that might put a hardship on the government of Puerto Rico or the Virgin Islands.

Mr. WIER. If you will accept that first motion, I will make an amendment to get a vote on it, and take that load off your mind, and I will offer an amendment that we strike out the 3 percent.

Mr. BARDEN. Let me get myself straight here for a moment. We are still dealing with something that we hardly know what effect that would have, either in Puerto Rico or in the United States.

Mr. WIER. Mr. Chairman, you are the very one who proposed in the very beginning that all American school children be treated equally, and that these 3 percent or secondary citizenships should be eliminated in the school lunch program; and so, I will give you the chance by an amendment.

Mr. BARDEN. I said that was certainly the ideal objective, but there is a lot of difference between a suggestion and a well thought out proposition, and I certainly did not make it as a definite proposal. I felt that the committee should give it some consideration, but possibly we can do that on the floor of the House, and each member of the committee certainly has the privilege of introducing an amendment to the bill when it comes to the floor.

Mr. WIER. I would not introduce it unless it was accepted here.

Mr. BARDEN. There is a motion pending.

Dr. FERNÓS-ISERN. May I offer my prepared statement for the record and be excused?

Mr. BARDEN. Yes.

(The statement referred to is as follows:)

STATEMENT OF HON. A. FERNÓS-ISERN, RESIDENT COMMISSIONER OF PUERTO RICO

Mr. Chairman, let me say, straight off, that as the Resident Commissioner of Puerto Rico, I support H. R. 1732, and urge its favorable adoption by your committee. Under the terms of the bill, I presume that both Alaska and Hawaii will receive increased revenues from the national school lunch fund and that for their purposes, H. R. 1732 would be desirable, although I do not speak for the two Territories.

As to Puerto Rico, the bill is acceptable and desirable, inasmuch as it would decrease by one-half the number of offshore participants to receive the 3 percent of the funds appropriated for agricultural commodities for the school-lunch pro-

gram, as well as the funds apportioned for nonfood assistance in accordance with the provisions of Public Law 396 of the Seventy-ninth Congress.

Under the formula followed last year, Puerto Rico received \$2,377,490 for the school-lunch program, whereas if the funds had been apportioned according to the terms of the bill under consideration by your committee, Puerto Rico would have received \$2,539,650. Thus, with the greater need for school-lunch benefits in Puerto Rico, H. R. 1732 will be very helpful.

I understand that the Department of Agriculture in its report to your committee has proposed that a proviso be added, to the effect that in each year's initial apportionment, the per capita allotments per child of school age in Puerto Rico and the Virgin Islands shall not be less than the per capita allotment per child of school age in the State (other than Puerto Rico or the Virgin Islands) with the lowest per capita income. The effect of this proviso would be to give Puerto Rico and the Virgin Islands a guaranty of at least 3 percent of the total moneys appropriated for the school-lunch program. However, if the lowest per capita income State received a per capita allotment per child of school age greater than Puerto Rico or the Virgin Islands, the two islands might receive a share in excess of 3 percent of the total. Naturally, this proviso would be most welcome to Puerto Rico where the school-lunch program is so important. Too many children in Puerto Rico receive their only full meal of the day through the school-lunch program.

I hope that the committee will see fit to accept the amendments proposed by the Department of Agriculture and concurred in by the Department of Interior, and report H. R. 1732 favorably.

Mr. KEARNS. I would like to suggest to the committee that, before you disturb the 3 percent for Puerto Rico, the committee study the report of the subcommittee on the school situation and the building needs for getting 300,000 children into school that could then participate in the program, before we raise the quota on the present number of children that are in school, is that not right, Mr. Howell?

Mr. HOWELL. I think that that is reasonable.

Mr. BAILEY. In any case, this just simply gives Puerto Rico and the Virgin Islands the present allocation made to Hawaii and Alaska, and they are better off under this bill, and so why worry about it?

Mr. WERDEL. That is, by \$100,000.

Mr. POTTER. When you disturb that 3 percent limitation on Puerto Rico and the Virgin Islands, that means you are going to take away from other States, funds that have been appropriated for the lunch program.

Mr. HOWELL. That much they can probably stand.

Mr. WERDEL. It amounts to \$1 million, if you give them another 1 percent; you give them \$1 million instead of the \$100,000.

Mr. BARDEN. Now, gentlemen, pending this motion, that has been seconded by Mr. McConnell, the Agriculture Department proposes an amendment here, and as I understand it, the Interior Department proposes an amendment. It is the same one. No discussion of the amendment is necessary.

Mr. STEED. I would like to have you read it.

(The report referred to is as follows:)

DEPARTMENT OF AGRICULTURE,
Washington, June 6, 1951.

Hon. GRAHAM A. BARDEN,

Chairman, Committee on Education and Labor,
House of Representatives.

DEAR MR. BARDEN: This is in reply to your request of March 9, 1951, for a report on H. R. 1732, a bill to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii and Alaska.

H. R. 1732 would remove Alaska and Hawaii from the present provisions of the National School Lunch Act, which limit the total amount made available to the four territories and possessions (Alaska, Hawaii, Puerto Rico, and the

Virgin Islands) to 3 percent of the funds appropriated. Under H. R. 1732, Hawaii and Alaska would participate in the apportionment of funds on the same basis as the States and the present 3-percent limitation would apply only to Puerto Rico and the Virgin Islands.

School lunch funds are apportioned to States on the basis of a formula prescribed in the act, which takes into account the number of a State's school-age children and its per capita income. The limitation restricting the extent to which the territories and possessions may participate in the apportionment of funds was adopted by the Congress primarily because of the relatively low per capita income in Puerto Rico and the Virgin Islands (see discussion in hearings before the House Committee on Agriculture, 79th Cong., on H. R. 2673 and H. R. 3143, pp. 267-270). When the National School Lunch Act was passed, the certified per capita income in Puerto Rico (\$191) and in the Virgin Islands (\$115) was so low compared with the per capita income of the United States (\$1,117) that unrestricted participation would have resulted in these two Territories receiving about 10 percent of the funds appropriated, while having only 2.1 percent of the population of school-age children.

The same situation still prevails. The latest per capita income figures, certified by the Department of Commerce at the time of the apportionment of fiscal year 1951 funds, reported Puerto Rico's per capita income as \$304 and the Virgin Islands' as \$182, compared to a United States average of \$1,410. Unrestricted participation by Puerto Rico and the Virgin Islands would have resulted in their receiving about 10 percent of the total funds available for food assistance.

The level of income in Alaska and Hawaii (\$1,976 and \$1,503, respectively) is more in line with that in the United States. Their removal from the 3-percent limitation would greatly augment their school-lunch program without seriously affecting the allocation of funds to the States. If H. R. 1732 had been law during the fiscal year 1951, Hawaii would have received \$195,516 instead of its present apportionment of \$73,320, and Alaska would have received \$28,134 instead of \$10,551. The Department favors the change in the apportionment of funds for Hawaii and Alaska as provided in the bill.

The Department would not object to a reasonable increase in the apportionment to the Caribbean territories and suggests the following amendment to H. R. 1732 to accomplish such an increase:

At the end of line 3, page 2, delete the period, insert a colon, and add the following: "*Provided*, That in each year's initial apportionment, the per capita allotments per child of school age in Puerto Rico and the Virgin Islands shall not be less than the per capita allotment per child of school age in the State (other than Puerto Rico or the Virgin Islands) with the lowest per capita income."

At the end of line 9, page 2, delete the period, insert a semicolon, and add: "except that the foregoing shall give effect to the requirement of the proviso in section 4."

If H. R. 1732 with the above amendment had been law during the fiscal year 1951, Puerto Rico would have received \$2,539,650 instead of its present apportionment of \$2,377,490, and the Virgin Islands would have received \$45,151 instead of \$43,639.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely,

CHARLES F. BRANNAN,
Secretary.

MR. BARDEN. I would like for Mr. Forsythe to give his interpretation of it, and for the representative from the Department of Agriculture to listen to it.

MR. FORSYTHE. We have marked-up bills prepared for the members, to show that amendment.

The amendment is intended to make the Virgin Islands and Puerto Rico participate at least to the extent of the State having the lowest per capita income, which would raise the figure somewhat, on the basis of the 1950 distribution.

MR. STEED. Would it give them more money?

MR. FORSYTHE. It would give them a little bit more money.

MR. STEED. Than States that have higher incomes?

Mr. FORSYTHE. I do not know about that.

Mr. BAILEY. How much money would it give them?

Mr. FORSYTHE. This amendment would give approximately \$162,000 to Puerto Rico, and approximately \$1,500 more to the Virgin Islands.

Mr. STEED. That is probably a good solution.

Mr. FORSYTHE. Under the Farrington bill without the amendment, they would get about \$83,000, to be divided between Puerto Rico and the Virgin Islands. In other words, there is approximately roughly \$162,000 to be divided between Puerto Rico and the Virgin Islands under the Agriculture Department amendment, and approximately \$80,000 to be divided under the Farrington bill without the Agriculture Department amendment.

Mr. BARDEN. Who is representing the Department of Agriculture?

STATEMENT OF C. ROY MURPHY, CHIEF OF THE SCHOOL LUNCH DIVISION, PRODUCTION AND MARKETING ADMINISTRATION, UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. MURPHY. C. Roy Murphy, Chief of the School Lunch Division, Production and Marketing Administration, Department of Agriculture.

Mr. BARDEN. Mr. Murphy, do you concur in the statement made by Mr. Forsythe?

Mr. MURPHY. Yes, that is correct. That is the amendment, and it is concurred in by the Department of the Interior and the Department of Agriculture.

Mr. BARDEN. Briefly, your reasons.

Mr. MURPHY. We accepted the Farrington bill initially as it stood, and upon representations by the Department of the Interior that the Territories of Puerto Rico and the Virgin Islands deserved additional consideration, we arrived at this agreement, that they would get an allocation that would give them a per capita rate per child not less than that of the lowest income State on the mainland.

Mr. BARDEN. That is Puerto Rico and the Virgin Islands?

Mr. MURPHY. As much per child as the lowest income State on the mainland; yes. That is what this amendment would do.

Mr. BAILEY. That is the State of Mississippi.

Mr. MURPHY. Presently, it is the State of Mississippi.

Mr. STEED. I have been waiting to ask this gentleman here a couple of questions.

How do you arrive at this figure of \$83,500,000 for the total program as the appropriation each year?

Mr. MURPHY. We make an estimate to the Bureau of the Budget, and we pass it on to the Congress, of our needs for the year.

Mr. STEED. What was your budget request when you got the \$83,500,000? Did they grant you the exact sum you asked for?

Mr. MURPHY. The request of the Bureau of the Budget to the Congress was \$83,500,000, and our request was \$100,000,000 to the Bureau of the Budget.

Mr. STEED. What did the reduction from the Bureau of the Budget, from \$100,000,000 to \$83,500,000, do to the contemplated program that you outlined?

Mr. MURPHY. Well, it cuts it back. It means, for the most part, that the charge to the paying children will be higher.

Mr. STEED. You impoverished the program in individual schools throughout the several States when you took that cut?

Mr. MURPHY. That is right. It eliminates expansion, too.

Mr. STEED. What happened in your budgetary request for the coming fiscal year, for this Congress?

Mr. MURPHY. The same thing.

Mr. STEED. You got the full sum that the Bureau of the Budget approved?

Mr. MURPHY. There is an amendment in the Senate now, cutting administrative expense \$136,000, a 10-percent cut that they applied practically to all programs, but the program money will remain the same.

Mr. STEED. The reason I ask these questions is to show that it really is ineffectual for us to sit here and divide this \$83 million any way we like, but you always have the proposition of this economy bloc getting ahold of your budget, and you have no assurance that you will always get this sum of money, and so, if we do not hold to some point of reason here in the division of it, we are going to wind up penalizing not only the Territories, but the States, as well, in the program.

Mr. BARDEN. May I say this, and I am going to put the motion made by the gentleman from West Virginia and seconded by the gentleman from Pennsylvania, Mr. McConnell, but before I put that motion, I think caution and wisdom probably would require that we at least have the language of this amendment studied by the drafting counsel, because I do not know who drafted the amendment or just what the language is, and Mr. Forsythe says he has not had an opportunity to give it the study it should have.

The committee is meeting again Friday morning, and I am wondering if it would be unanimously agreeable that we go ahead and act on the motion made to report the bill out, and then if counsel raises any objection, the matter could be given reconsideration if the objection was substantial, and it could be given reconsideration on Friday morning.

Is there any objection to that on the part of anyone?

Mr. WERDEL. Your proposal is to report the bill out without the amendment?

Mr. BARDEN. With the amendment proposed by the Department of Agriculture and acquiesced in by the Department of the Interior, and subject to the check of the counsel to see the effect of it.

Mr. WERDEL. It was my understanding that the amendment, when I first heard about the amendment, that it was the proposed amendment of Dr. Fernós-Isern, as suggested by the Department; and I amend the gentleman's motion, from West Virginia, that we accept the amendment subject to the conditions the chairman mentioned in the bill.

Mr. BAILEY. There is no objection to that.

Mr. GWINN. I do not think that we get the implications of this wide open amendment. The witness has just said that 300,000 school children get no lunches at all, and under this amendment they will have to be included, and we have no figures on the——

Mr. BARDEN. Mr. Gwin, the very purpose of my suggestion was to put a little caution in our procedure; and, if there is no objection to that arrangement, then I will put the question.

So many as are in favor——

Mr. STEED. What are you doing to do with this amendment? Suppose that this proposed amendment here runs the figure above 3 percent, and then you have got a conflict in your bill.

Mr. FORSYTHE. That is why I want to look at the language.

Mr. STEED. It says it shall not exceed 3 percent, and yet you say "Provided, it will not be less than" another figure.

Mr. BARDEN. That is exactly why I thought a fair degree of caution be exercised, so that counsel may look to see that we are not putting two irresistible points against each other.

Mr. STEED. The appropriation for the coming year has already been made, and by increasing these sums to the islands and the territories you are going to impoverish the program that you will have for the 48 States, because no arrangements are made here to increase the appropriation total to absorb that.

Mr. BAILEY. To the extent of the difference between \$81,000 and \$162,000; that is right.

Mr. BARDEN. I do not think that we can give away anything without making some kind of sacrifice.

Mr. STEED. I think that you should realize that you are doing it at the expense of other children.

Mr. BARDEN. Should I put the motion?

As many as are in favor of the motion of the gentleman from West Virginia, seconded by Mr. McConnell, with the unanimous-consent agreement attached, let it be known by saying "Aye." Opposed, "No."

The "ayes" have it, and it is so ordered.

Mr. MURPHY. Mr. Chairman, I would like to insert in the record a breakdown of the apportionment of 1951 funds to Territories, and apportionment proposed by H. R. 1732 and amendment.

Mr. BARDEN. That will be placed in the record along with the table indicating the apportionment by States.

(The tables referred to follow:)

Apportionment by States of funds available for the national school-lunch program, fiscal year 1951
 [U. S. Department of Agriculture, Production and Marketing Administration]

State	Per capita income in 1948 (United States, \$1,410)	Per capita income index ¹	Population 5-17 years, inclusive, July 1, 1948	State index ²	State quotient ³	Apportionment for food ⁴	State agency	Private schools	Mailing percent required ⁵
Alabama.....	\$801	1.58240	773,000	1,223,264.77	0.0371075	\$2,305,118	\$2,250,674	\$54,444	94.78724
Arizona.....	1,168	1.20719	169,000	204,015.11	0.0061888	384,448	303,657	20,791	124.25532
Arkansas.....	863	1.63384	506,000	826,723.04	0.0250785	1,557,877	1,530,107	27,770	91.80851
California.....	1,651	1.85403	1,816,000	1,550,918.48	0.070468	2,022,547	2,022,547	—	150.00000
Colorado.....	1,429	0.98670	256,000	252,595.20	0.0076624	475,988	434,480	41,499	150.00000
Connecticut.....	1,700	0.82941	355,000	264,440.55	0.0080318	554,844	554,844	—	150.00000
Delaware.....	1,741	0.80988	58,000	46,973.04	0.014249	88,515	74,262	14,253	150.00000
District of Columbia.....	1,601	0.83383	129,000	107,664.07	0.032629	202,601	202,601	—	150.00000
Florida.....	1,137	1.24011	497,000	616,334.67	0.0180964	1,161,420	1,110,288	42,132	120.95745
Georgia.....	1,971	1.45211	817,000	1,186,373.87	0.0350884	2,235,599	2,235,599	—	103.27588
Idaho.....	1,252	1.12620	134,000	150,010.80	0.0045770	284,370	276,026	8,353	133.16150
Illinois.....	1,817	1.00499	1,591,000	1,170,530.00	0.0378405	2,292,685	2,222,635	—	130.00000
Indiana.....	1,403	1.00499	701,000	794,947.09	0.024146	1,437,990	1,407,090	91,793	140.25532
Iowa.....	1,491	1.04567	365,000	477,563.35	0.0143808	894,020	808,127	—	130.00000
Kansas.....	1,201	1.02218	372,000	406,290.96	0.0123298	763,617	703,617	—	137.34042
Kentucky.....	900	1.53116	715,000	1,109,073.40	0.0330437	2,089,947	2,089,947	—	106.70214
Louisiana.....	1,062	1.40719	629,000	885,122.51	0.0285600	1,667,022	1,667,022	—	126.68085
Maine.....	1,210	1.15660	195,000	225,554.55	0.0084422	425,038	350,602	74,346	126.68085
Maryland.....	1,546	0.91203	414,000	377,580.42	0.014538	711,510	585,250	126,260	150.00000
Massachusetts.....	1,909	0.93439	848,000	702,362.72	0.0240362	1,493,129	1,146,069	347,060	150.00000
Michigan.....	1,484	1.95013	1,296,000	1,231,368.48	0.0373533	3,320,387	1,067,491	352,896	105.00000
Minnesota.....	1,353	1.04213	508,000	623,103.74	0.0189045	1,174,348	1,011,724	162,624	133.93618
Mississippi.....	758	1.86016	584,000	1,086,333.44	0.0329537	2,047,084	2,047,084	—	80.63831
Missouri.....	1,366	1.03082	770,000	800,681.40	0.0242879	1,508,764	1,508,764	—	144.25532
Montana.....	1,791	0.78727	118,000	92,897.86	0.0028180	175,054	150,549	15,505	150.00000
Nebraska.....	1,473	0.95723	260,000	248,879.80	0.0075407	468,987	421,472	47,515	150.00000
Nevada.....	1,670	0.83979	28,000	23,514.12	0.007133	44,381	43,681	620	150.00000
New Hampshire.....	1,261	1.11816	101,000	112,434.16	0.0034258	212,811	212,811	—	134.14803
New Jersey.....	1,605	0.87850	823,000	723,005.50	0.0210322	1,302,428	1,104,608	257,820	150.00000
New Mexico.....	1,125	1.25333	158,000	198,026.14	0.0030071	373,161	343,161	—	119.68084
New York.....	1,801	0.74564	2,472,000	1,843,222.08	0.0550138	3,473,305	3,473,305	—	98.93618
North Carolina.....	980	1.51613	992,000	1,504,000.96	0.0456266	2,834,138	2,834,138	—	150.00000
North Dakota.....	1,473	0.95723	143,000	136,883.80	0.0041524	257,947	233,406	24,541	150.00000
Ohio.....	1,548	0.91085	1,513,000	1,378,116.05	0.0418040	2,508,020	2,243,511	353,400	150.00000
Oklahoma.....	1,029	1.37026	1,534,000	731,718.84	0.0221066	1,378,853	1,378,853	—	109.46808

Oregon.....	1,302	1.08295	298,000	322,719.10	.0097896	608,130	608,130	138,51064
Pennsylvania.....	1,444	.97645	2,072,000	2,023,204.40	.0613735	3,144,509	3,144,509	812,522
Rhode Island.....	1,564	.90153	134,000	120,805.02	.0036646	227,645	227,645	150,00000
South Carolina.....	865	1.63006	554,000	903,053.24	.0273940	1,680,728	1,680,728	92,02128
South Dakota.....	1,577	.89410	140,000	125,174.00	.0037971	235,876	216,490	150,00000
Tennessee.....	955	1.47644	771,000	1,138,335.24	.0345312	2,145,078	2,093,165	101,59575
Texas.....	1,192	1.18289	1,663,000	1,967,146.07	.0596730	3,706,887	3,706,887	126,80852
Utah.....	1,231	1.14541	108,000	192,428.88	.0058373	357,605	357,605	130,98574
Vermont.....	1,229	1.14727	79,000	90,634.33	.0027494	170,793	170,793	130,74468
Virginia.....	1,159	1.21657	696,000	846,732.72	.0256855	1,546,437	1,546,437	123,29787
Washington.....	1,453	.97041	465,000	451,240.65	.0136883	850,317	801,385	150,00000
West Virginia.....	1,133	1.24448	499,000	620,995.52	.0188378	1,170,204	1,144,594	120,53102
Wisconsin.....	1,443	.97713	678,000	662,494.14	.0200666	1,248,401	1,986,292	150,00000
Wyoming.....	1,494	.94378	61,000	57,570.58	.0017464	108,486	108,486	150,00000
United States total.....			30,167,000	32,965,424.95	1.0000000	62,120,000	58,905,256	3,214,744
Alaska.....	1,976	.71556	21,000	14,984.76	.0042120	10,551	10,551	150,00000
Hawaii.....	1,503	.93312	111,000	104,131.32	.0202695	79,320	57,521	150,00000
Puerto Rico.....	304	4.63316	728,000	3,376,580.48	.9400776	2,377,400	2,377,400	32,34042
Virgin Islands.....	182	7.74723	8,000	61,978.00	.0174276	43,639	43,639	19,36170
Territories.....			808,000	3,557,674.56	1.0000000	2,505,000	2,489,201	15,799
United States and Territories.....			31,035,000			64,625,000	61,394,457	3,230,543

¹ United States per capita income (\$1,410) divided by State per capita income.

² Per capita income index multiplied by population of ages 5 to 17, inclusive.

³ State quotients calculated separately for the continental United States and for Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

⁴ Total of funds apportioned for food multiplied by State quotient. Under the National School Lunch Act, not less than 75 percent of the total funds available for food must be apportioned to the continental United States and Alaska, Hawaii, Puerto Rico, and the Virgin Islands; the sum of food apportionments to Alaska, Hawaii, Puerto Rico, and the Virgin Islands is limited to 3 percent of the funds available for food—in the case of the present apportionment, 3 percent of \$3,539,000 or \$2,505,000. The remainder of the amount set aside for apportionment is apportioned among the States of the continental United States and the District of Columbia. Breakdown between State agency and private schools is based on relative enrollment in public and nonprofit private schools as provided in sec. 10 of the National School Lunch Act for any State in which the State educational agency by law is not permitted to disburse funds paid to it under this act to nonprofit private schools.

⁵ According to sec. 7 of the National School Lunch Act, during fiscal 1951 each State must match 1½ dollars for each dollar of the Federal Government's apportionment to the State for food, except that, in the case of a State in which the per capita income is below that of the United States, the matching ratio required is decreased by the percentage which the State's per capita income is below the per capita income of the United States. The actual amount of funds required for matching is then determined by taking this percentage of the amount of the total Federal apportionment to the State.

National school-lunch program, apportionment of 1951 funds to Territories, and apportionment proposed by H. R. 1732 and amendment

State	Per capita income (1948) (United States, \$1,410)	Population, 5 to 17 (1948)	Enrollment, 1948-49	School-lunch participation, 1951	1951 apportionment under National School Lunch Act		1951 apportionment under H. R. 1732		1951 apportionment under proposed amendment to H. R. 1732	
					Total	Per child (population)	Total	Per child (population)	Total	Per child (population)
Alaska-----	\$1,976	21,000	10,889	1,226	\$10,551	\$0.50	\$28,134	\$1.34	\$28,098	\$1.34
Hawaii-----	1,503	111,030	107,924	62,045	73,320	.66	195,516	1.76	195,265	1.76
Puerto Rico----	304	728,000	409,839	220,510	2,377,490	3.27	2,459,849	3.38	2,539,650	3.49
Virgin Islands--	182	8,000	6,399	4,400	43,639	5.46	45,151	5.64	45,151	5.64
Lowest-income State-----	758	584,000	531,581	169,955	2,047,084	3.51	2,039,716	3.49	2,037,096	3.49

Mr. BARDEN. We will meet again Friday morning at 10 o'clock.
 (Whereupon, at 12 noon, a recess was taken until 10 a. m. Friday, August 3, 1951.)

AMENDMENTS TO SCHOOL LUNCH ACT

FRIDAY, AUGUST 3, 1951

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D. C.

The committee met at 10 a. m. in room 429, House Office Building, the Honorable Graham A. Barden (chairman) presiding.

Present: Representatives Barden, Kelley, Howell, Steed, Wier, Tackett, McConnell, Potter, and Berry.

Present also: Fred G. Hussey, chief clerk; John S. Forsythe, general counsel; David N. Henderson, assistant general counsel; Russell C. Derrickson, investigator; John O. Graham, minority clerk—all of the Committee on Education and Labor.

Mr. BARDEN. The committee will come to order.

Gentlemen, at the last meeting we held for the consideration of H. R. 1732, we directed counsel to do some clearing up on that bill to make sure that it was proper from the drafting point of view.

I am informed that the attorneys have reworked the bill and submitted it to Dr. Fernós-Isern of Puerto Rico and to Mr. Farrington, and all are pleased and satisfied with the redoing of the bill.

(The language referred to is as follows:)

AMENDMENTS TO H. R. 1732

Strike out all after the enacting clause and insert in lieu thereof the following:

"That (a) the second sentence of section 4 of the National School Lunch Act (42 U. S. C., sec. 1753) is amended to read as follows: 'The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds made available for such year for supplying agricultural commodities and other foods under the provisions of this Act. The total of such apportionments of funds for use in Puerto Rico and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program; except that in the case of the first apportionments of funds from any annual or supplemental appropriation (and only in such case) the apportionment for Puerto Rico, and the apportionment for the Virgin Islands, shall be not less than that amount which will result in a per capita allotment per child of school age equal to the per capita allotment per child of school age in the States (other than Puerto Rico and the Virgin Islands) having the lowest per capita income and participating in such first apportionments.'

"(b) The last sentence of section 5 of such Act (42 U. S. C., sec. 1754) is amended to read as follows: 'Apportionments of funds for use in Puerto Rico and the Virgin Islands for nonfood assistance shall be determined subject to the provisions of the third sentence of section 4.'

"(c) The amendments made by this Act shall be effective only with respect to sums appropriated after the date on which this Act is enacted."

Amend the title so as to read: "A bill to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands."

Mr. BARDEN. In the absence of any objection, the motion made by the gentleman from West Virginia that it be reported out, and which motion the committee adopted, will be in effect. The committee clerk will take such steps as are necessary and proper.

Mr. WIER. Do you mean to tell me that the attorneys have reached agreement on something?

Mr. BARDEN. I think they were all on one side.

(Thereupon, at 10:18 a. m., Friday, August 3, 1951, the committee proceeded to other business.)

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82D CONGRESS
1ST SESSION

H. R. 1732

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1951

Mr. FARRINGTON introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii and Alaska.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) the second sentence of section 4 of the National
4 School Lunch Act, approved June 4, 1946 (Public Law
5 Numbered 396, Seventy-ninth Congress, 60 Stat. 230),
6 is amended to read as follows: "The Secretary shall appor-
7 tion among the States during each fiscal year not less than
8 75 per centum of the aforesaid funds made available for
9 such year for supplying agricultural commodities and other
10 foods under the provisions of this Act, except that the total
11 of such apportionments of funds for use in Puerto Rico and

1 the Virgin Islands shall not exceed 3 per centum of the
2 funds appropriated for agricultural commodities and other
3 foods for the school-lunch program.”

4 (b) The last sentence of section 5 of such Act is
5 amended to read as follows: “The total of such funds appor-
6 tioned for nonfood assistance for use in Puerto Rico and
7 the Virgin Islands shall not exceed 3 per centum of the
8 funds appropriated for nonfood assistance in accordance with
9 the provisions of this Act.”

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82ND CONGRESS
1ST Session

H. R. 1732

A BILL

To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii and Alaska.

By Mr. FARRINGTON

JANUARY 19, 1951

Referred to the Committee on Education and Labor

SCHOOL LUNCH AMENDMENTS

AUGUST 9, 1951.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BARDEN, from the Committee on Education and Labor, submitted the following

R E P O R T

[To accompany H. R. 1732]

The Committee on Education and Labor, to whom was referred the bill (H. R. 1732) to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii and Alaska, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

The committee amendment to the text strikes out all of the bill after the enacting clause and inserts in lieu thereof a substitute which appears in the reported bill in italic type.

The committee amendment to the title of the bill amends the title so as to read:

A bill to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

STATEMENT

The accompanying bill, as referred to the committee, would remove Alaska and Hawaii from the present provisions of the National School Lunch Act which limit the total amount of food assistance and non-food-assistance funds apportioned to Alaska, Hawaii, Puerto Rico, and the Virgin Islands to 3 percent of the funds appropriated. Hawaii and Alaska would participate in the apportionment of funds on the same basis as the States and the present 3-percent limitation would apply only to Puerto Rico and Virgin Islands. The committee substitute to H. R. 1732, which has been prepared after consideration of a similar amendment suggested by the Department of Agriculture and the Department of the Interior, does not change H. R. 1732 insofar as Hawaii and Alaska are concerned. However, subsection (a) of the committee substitute modifies the 3-percent limitation by providing

that, in the case of the first apportionments of funds from any annual or supplemental appropriation, the respective apportionments for Puerto Rico and the Virgin Islands shall be not less than that amount which will result in an allotment per child of school age equal to the allotment per child of school age in the State (other than Puerto Rico and the Virgin Islands) having the lowest per capita income among the States participating in such first apportionments.

School lunch funds are apportioned to States on the basis of a formula prescribed in the National School Lunch Act, which takes into account the number of a State's school-age children and its per capita income. The limitation restricting the extent to which the Territories and possessions may participate in the apportionment of funds was adopted by the Congress primarily because of the relatively low per capita income in Puerto Rico and the Virgin Islands. (See discussion in hearings before the House Committee on Agriculture, 79th Cong., on H. R. 2673 and H. R. 3143, pp. 267-270.) When the National School Lunch Act was passed, the certified per capita income in Puerto Rico (\$191) and in the Virgin Islands (\$115) was so low compared with the per capita income of the United States (\$1,117) that unrestricted participation would have resulted in these two Territories receiving about 10 percent of the funds appropriated, while having only 2.1 percent of the population of school-age children.

The same situation still prevails. The per capita income figures certified by the Department of Commerce at the time of the apportionment of fiscal year 1951 funds reported Puerto Rico's per capita income as \$304 and the Virgin Islands as \$182, compared to a United States average of \$1,410. Unrestricted participation by Puerto Rico and the Virgin Islands would have resulted in their receiving about 10 percent of the total funds available for food assistance.

On the other hand, the level of income in Alaska and Hawaii (\$1,976 and \$1,503, respectively) is in line with that in the United States. Their removal from the 3-percent limitation would augment their school-lunch program without seriously affecting the allocation of funds to the States. At the same time, Puerto Rico and the Virgin Islands would receive moderate increases in their respective apportionments.

The Department of Agriculture and the Department of the Interior, in reporting their comments on H. R. 1732 to the committee, suggested an amendment to the bill which was designed to assure that Puerto Rico and the Virgin Islands would not be in a position less favorable than that of the State having the lowest per capita income. This amendment would provide a small increase for Puerto Rico in addition to that made possible under H. R. 1732, as referred to the committee, without reducing materially the apportionment to any other State. The committee has redrafted the amendment suggested by these Departments in order to make it clear that the limited exception from the 3-percent limitation for Puerto Rico and the Virgin Islands will apply only to the first apportionment of any annual or supplemental appropriation in any fiscal year and will not apply in the case of a reapportionment of funds. The committee amendment should not be construed, however, in case of a reapportionment, as requiring a reduction in funds previously apportioned to Puerto Rico and the

Virgin Islands in the event that the State with the lowest per capita income returns money which it is unable to utilize and thus voluntarily reduces its allotment per child below that of Puerto Rico and the Virgin Islands.

Since the State with the lowest per capita income may not participate in an apportionment of any supplemental appropriation because of not being able to utilize additional money, the committee amendment provides that the State having the lowest per capita income among those participating in such apportionment, shall be used as a standard to determine the minimum allotment per child for Puerto Rico and the Virgin Islands.

Subsection (b) of the committee substitute amends the last sentence of section 5 of the National School Lunch Act so as to provide the same changes in the method of apportioning funds for nonfood assistance as would be made (by subsec. (a) of the substitute) in the method of apportioning funds for agricultural commodities and other foods. Under this provision, Puerto Rico and the Virgin Islands would be entitled, in the case of the first apportionments made from any annual or supplemental appropriation for nonfood assistance (and in such case only) to an allotment per child of school age not less than the allotment per child of school age in that State (other than Puerto Rico and the Virgin Islands) having the lowest per capita income among the States participating in the apportionments in question.

Subsection (c) of the committee substitute provides that the amendments made by the bill shall not apply to sums appropriated on or before the date on which the bill is enacted, but only to sums appropriated thereafter.

The table set forth below shows, for each of the Territories and possessions, the apportionment and the allotment per child of school age from 1951 fiscal year funds under present law, and what such apportionment and allotment per child would have been for such fiscal year under H. R. 1732, as referred to the committee, and under H. R. 1732 with the committee amendment.

State	1951 apportionment under National School Lunch Act		1951 apportionment under H. R. 1732		1951 apportionment under committee amendment to H. R. 1732	
	Total	Per child popula- tion	Total	Per child popula- tion	Total	Per child popula- tion
Alaska.....	\$10,551	\$0.50	\$28,134	\$1.34	\$28,098	\$1.34
Hawaii.....	73,320	.66	195,516	1.76	195,265	1.76
Puerto Rico.....	2,377,490	3.27	2,459,849	3.38	2,539,650	3.49
Virgin Islands.....	43,639	5.46	45,151	5.64	45,151	5.64
Lowest income State.....	2,047,084	3.51	2,039,716	3.49	2,037,096	3.49

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be

omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTIONS 4 AND 5 OF THE NATIONAL SCHOOL LUNCH ACT (PUBLIC LAW 396,
79TH CONG.)

APPORTIONMENTS TO STATES

SEC. 4. The sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, excluding the sum specified in section 5, shall be available to the Secretary for supplying, during such fiscal year, agricultural commodities and other foods for the school-lunch program in accordance with the provisions of this Act. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds made available for such year for supplying agricultural commodities and other foods under the provisions of this Act, except that the total of such apportionments of funds for use in [Alaska, Territory of Hawaii, Puerto Rico,] *Puerto Rico* and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program. Apportionment among the States shall be made on the basis of two factors: (1) The number of school children in the State and (2) the need for assistance in the State as indicated by the relation of the per capita income in the United States to the per capita income in the State. The amount of the initial apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and, finally, apply the figure thus obtained to the total funds to be apportioned. For the purpose of this section, the number of school children in the State shall be the number of children therein between the ages of five and seventeen, inclusive; such figures and per capita income figures shall be the latest figures certified by the Department of Commerce. For the purposes of this Act, "school" means any public or nonprofit private school of high-school grade or under and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico. If any State cannot utilize all funds so apportioned to it, or if additional funds are available under this Act for apportionment among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

SEC. 5. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, \$10,000,000 shall be available to the Secretary for the purpose of providing, during such fiscal year, nonfood assistance for the school-lunch program pursuant to the provisions of this Act. The Secretary shall apportion among the States during each fiscal year the aforesaid sum of \$10,000,000, and such apportionment among the States shall be on the basis of the factors, and in accordance with the standards, set forth in section 4 with respect to the apportionment for agricultural commodities and other foods. The total of such funds apportioned for nonfood assistance for use in [Alaska, Territory of Hawaii, Puerto Rico,] *Puerto Rico* and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for nonfood assistance in accordance with the provisions of this Act.



Union Calendar No. 263

82D CONGRESS
1ST SESSION

H. R. 1732

[Report No. 825]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1951

Mr. FARRINGTON introduced the following bill; which was referred to the Committee on Education and Labor

AUGUST 9, 1951

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii and Alaska.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) the second sentence of section 4 of the National
4 School Lunch Act, approved June 4, 1946 (Public Law
5 Numbered 396, Seventy-ninth Congress, 60 Stat. 230),
6 is amended to read as follows: "The Secretary shall appor-
7 tion among the States during each fiscal year not less than

1 75 per centum of the aforesaid funds made available for
2 such year for supplying agricultural commodities and other
3 foods under the provisions of this Act, except that the total
4 of such apportionments of funds for use in Puerto Rico and
5 the Virgin Islands shall not exceed 3 per centum of the
6 funds appropriated for agricultural commodities and other
7 foods for the school-lunch program."

8 (b) The last sentence of section 5 of such Act is
9 amended to read as follows: "The total of such funds appor-
10 tioned for nonfood assistance for use in Puerto Rico and
11 the Virgin Islands shall not exceed 3 per centum of the
12 funds appropriated for nonfood assistance in accordance with
13 the provisions of this Act."

14 That (a) the second sentence of section 4 of the National
15 School Lunch Act (42 U. S. C., sec. 1753) is amended to
16 read as follows: "The Secretary shall apportion among the
17 States during each fiscal year not less than 75 per centum
18 of the aforesaid funds made available for such year for
19 supplying agricultural commodities and other foods under the
20 provisions of this Act. The total of such apportionments of
21 funds for use in Puerto Rico and the Virgin Islands shall
22 not exceed 3 per centum of the funds appropriated for agri-
23 cultural commodities and other foods for the school-lunch
24 program; except that in the case of the first apportionments
25 of funds from any annual or supplemental appropriation

1 *(and only in such case), the apportionment for Puerto Rico,*
2 *and the apportionment for the Virgin Islands, shall be not*
3 *less than that amount which will result in an allotment per*
4 *child of school age equal to the allotment per child of school*
5 *age in the State (other than Puerto Rico and the Virgin*
6 *Islands) having the lowest per capita income among the*
7 *States participating in such first apportionments."*

8 *(b) The last sentence of section 5 of such Act (42*
9 *U. S. C., sec. 1754) is amended to read as follows: "Ap-*
10 *portionments of funds for use in Puerto Rico and the Virgin*
11 *Islands for nonfood assistance shall be determined subject to*
12 *the provisions of the third sentence of section 4."*

13 *(c) The amendments made by this Act shall be effective*
14 *only with respect to sums appropriated after the date on*
15 *which this Act is enacted.*

Amend the title so as to read: "A bill to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands."

82ND CONGRESS
1ST SESSION

H. R. 1732

[Report No. 825]

A BILL

To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii and Alaska.

By Mr. FARRINGTON

JANUARY 19, 1951

Referred to the Committee on Education and Labor

AUGUST 9, 1951

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Oct. 15, 1951
Cong. Record No. 193

H O U S E

SCHOOL LUNCH PROGRAM. Passed as reported H. R. 1732, to provide for allocation of school lunch funds to Hawaii and Alaska on the same basis as the States and to provide that such allocations to Puerto Rico and the Virgin Islands shall be at least as large per school child as for the lowest-income State (pp. 13413-4).

[illegible]

82^d CONGRESS
1ST SESSION

H. R. 1732

IN THE SENATE OF THE UNITED STATES

OCTOBER 16 (legislative day, OCTOBER 1), 1951

Read twice and referred to the Committee on Labor and Public Welfare

AN ACT

To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) the second sentence of section 4 of the National
4 School Lunch Act (42 U. S. C., sec. 1753) is amended to
5 read as follows: "The Secretary shall apportion among the
6 States during each fiscal year not less than 75 per centum
7 of the aforesaid funds made available for such year for
8 supplying agricultural commodities and other foods under the
9 provisions of this Act. The total of such apportionments of
10 funds for use in Puerto Rico and the Virgin Islands shall

82ND CONGRESS
1ST SESSION

H. R. 1732

AN ACT

To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

OCTOBER 16 (legislative day, OCTOBER 1), 1951
Read twice and referred to the Committee on Labor
and Public Welfare

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued June 6, 1952

For actions of June 5, 1952

52nd-2nd, No. 97

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HIGHLIGHTS: Both Houses agreed to conference report on 3rd supplemental appropriation bill. Senate debated defense production bill. Senate made agricultural appropriation bill its unfinished business. Senate received nomination of Duggan to FCA. Senate committee reported bill to increase school lunch funds for territories and possessions. House adopted conference report on foreign aid bill. House passed cotton parity standard bill. House passed Korean veterans' G. I. bill. Conferees agreed on report for road authorization bill.

SENATE

- 1. THIRD SUPPLEMENTAL APPROPRIATION BILL, 1952.** Both Houses agreed to the conference report on this bill, H. R. 6947, and acted on amendments which had been reported in disagreement. The bill was then sent to the President. . . The House agreed to the Senate amendment providing \$300 pay increases for certain \$14,000 officials. The House also agreed to the provision that the smoke-jumper facilities item be the total cost of the project. The House reduced the item for Civil Service Commission investigations to \$4,000,000, and the Senate concurred in this action. In addition to the items listed in Digest 95, the bill, as finally passed, also contains an item of \$4,000,000 (Senate figure) for the Immigration and Naturalization Service which is largely for the Mexican farm-labor program. During House debate, Rep. Fisher moved that the bill be recommitted to conference with instructions that the House conferees insist on disagreement to the Senate amendment increasing the amount for the farm-labor program, but this notion was rejected, 35-149. (pp. 6709, 6747-56.)
- 2. DEFENSE PRODUCTION.** Continued debate on S. 2594, to continue and amend the Defense Production Act (pp. 6702-10, 6712-39). Rejected, 27-54, a Dirksen amendment barring price ceilings after Sept. 1, 1952, on any material or service unless it is in short supply or threatens inflation (pp. 6703-6). Voted, 42-38, in favor of a McFarland motion to postpone debate on this bill until Mon., June 9, after Sen. Byrd had presented an amendment advising the President to use the Taft-Hartley Act in connection with the steel strike.

3. AGRICULTURAL APPROPRIATION BILL, 1953. This bill, H. R. 7314, was made the unfinished business (pp. 6740, 6742). Sen. Douglas gave notice that he will move to suspend the rules and offer an amendment which would make Sec. 32 of the Act of Aug. 24, 1935 (relating to disposal of surplus commodities) merely an authorization rather than a permanent appropriation. In addition, Sens. Williams, Case, and Douglas submitted various amendments which they intend to propose to the bill. (p. 6701.)
4. NOMINATION. Received the nomination of Ivy W. Duggan to be Governor of FCA for 6 years from June 15, 1952 (p. 6744).
5. SCHOOL LUNCH PROGRAM. The Labor and Public Welfare Committee reported with amendments H. R. 1732, to increase the school lunch program allotments for the territories and possessions (S. Rept. 1677)(p. 6698).
6. PERSONNEL. The Rules and Administration Committee reported with amendments S. 3061, to permit and assist Federal personnel and their families to exercise their voting franchise (S. Rept. 1675)(p. 6698).
7. MIGRATORY LABOR. The Labor and Public Welfare Committee voted to report (but did not actually report) a new bill to establish a Federal Commission on Migratory Labor (p. D544).
8. PUBLIC LANDS; TAXATION. Sen. Humphrey inserted a Minneapolis City Council resolution favoring additional Federal payments in lieu of taxes on public lands (p. 6697).
9. FARM CREDIT. Sen. Humphrey inserted a Fergus Falls Production Credit Association resolution favoring legislation to make the cooperative farm credit system more independent of the Federal Government (pp. 6697-8).

HOUSE

10. FOREIGN AID. Adopted the conference report on H. R. 7005, to amend the Mutual Security Act of 1951 (pp. 6774-78).
11. COTTON PARITY. Passed, 156-62, as reported H. R. 5713, providing that Low Middle seven-eighth-inch cotton shall be the standard grade for determining parity and price support for the 1952 cotton crop if this Department makes an official estimate that the 1952 crop will equal or exceed 16 million bales. This bill is designed to protect farmers against a disastrous price decline if they produce 16 million bales or more in 1952. (p. 6751-4.)
12. VETERANS' BENEFITS. Passed, 361-1, as reported H. R. 7656, authorizing educational and training allowances for Korean veterans. The bill also provides home farm, and business loan credit assistance, old age and survivors' insurance credits, and employment assistance. (pp. 6759-61.)
13. ROAD AUTHORIZATIONS. Conferences on H. R. 7340, authorizing appropriations for road construction in 1954 and 1955, agreed to file (but did not actually file) a conference report. The "Daily Digest" states that the conferees agreed to an annual total of \$550 million for Federal-aid to highway systems for each of the fiscal years. (p. D547.)
14. APPROPRIATIONS. Agreed to conferences with the Senate on the following bills:
H. R. 6854, Treasury-Post Office Appropriation bill for 1953, appointing as conferees Reps. Gary, Fernandez, Passman, Sieminski, Cannon, Canfield, Wilson (Ind.), James, and Taber. (p. 6745). Senate conferees were appointed April 29.

SCHOOL LUNCH AMENDMENTS

JUNE 5, 1952.—Ordered to be printed

Mr. HILL, from the Committee on Labor and Public Welfare, submitted the following

REPORT

[To accompany H. R. 1732]

The Committee on Labor and Public Welfare to whom was referred the bill (H. R. 1732) to amend the National School Lunch Act with respect to the apportionment of funds for food and nonfood assistance to the Territories and possessions, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.

The amendments are as follows:

In order that the provisions of the National School Lunch Act be extended to Guam it is recommended that H. R. 1732 be amended as follows:

1. Page 1, line 10, insert “, Guam” immediately after the words “Puerto Rico”.

2. Page 2, line 6, insert the words “the apportionment for Guam,” immediately before the word “and”.

3. Page 2, lines 9 and 14, insert “, Guam” immediately after the words “Puerto Rico”.

4. Page 2, between lines 16 and 17, insert a new subsection “(c)” as follows:

(c) Section 11 (d) (1) of the National School Lunch Act (42 U. S. C., sec. 1760 (d) (1)) is amended to read as follows: “(1) ‘State’ includes any of the forty-eight States, the District of Columbia, Hawaii, Alaska, Puerto Rico, Guam and the Virgin Islands.”

5. Page 2, line 17, reletter subsection “(c)” as subsection “(d)”.

The committee amends the title of the bill so as to read:

An act to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands.

PURPOSE OF THE BILL

The major purpose of the bill is to remove Alaska and Hawaii from provisions of sections 4 and 5 of the National School Lunch Act

(60 Stat. 230, 42 U. S. C., secs. 1753, 1754). These sections now limit the total amount made available to Alaska, Hawaii, Puerto Rico, and the Virgin Islands to 3 percent of the funds appropriated annually for the school-lunch program. Under the bill, as reported by the committee, Hawaii and Alaska would participate in the apportionment on the same basis as the States.

The present 3-percent limitation would continue to apply to Puerto Rico and the Virgin Islands and in addition the bill would make this limitation applicable to Guam. However, the bill modifies the effects of the 3-percent limitation with respect to Puerto Rico, Guam, and the Virgin Islands by adding a proviso that in the first apportionment of funds each year, the allotments per child of school age in Puerto Rico, Guam, and the Virgin Islands would not be less than the per child of school age received by the State (other than Puerto Rico, Guam, or the Virgin Islands) with the lowest per capita income among the States participating in such first apportionments.

The school-lunch funds are apportioned to the States on a basis of a formula described in the National School Lunch Act which takes into account the number of State school-age children and its per capita income. The limitation restricting the extent to which the possessions and Territories may participate in the apportionment of funds was adopted by Congress primarily because of the relatively low income in Puerto Rico and the Virgin Islands. When the National School Lunch Act was passed, the certified per capita income in Puerto Rico (\$191) and in the Virgin Islands (\$115) was so low compared with the average per capita income in the United States (\$1,117) that unrestricted participation would have resulted in these Territories receiving about 10 percent of the funds appropriated when they only had 2.1 percent of the population of children of school age.

The same situation exists at the present time. The latest per capita income figure certified by the Department of Commerce shows Puerto Rico per capita income as \$318 and the Virgin Islands as \$226 compared to the United States average of \$1,436.

On the other hand the level of per capita income in Alaska and Hawaii was \$2,044 and \$1,285, respectively. These figures, of course, show that the removal of Alaska and Hawaii from the 3-percent limitation would augment their school-lunch program without seriously affecting the allocation of funds to the States.

If H. R. 1732 had been in effect as law last year, Alaska would have received \$28,098 instead of the \$10,551 it actually received in 1951 apportionment; Hawaii would have received \$195,265 instead of \$73,320.

H. R. 1732, as recommended by the committee, would also provide an increase in the apportionment to Puerto Rico and the Virgin Islands. If the bill, as recommended, were law last year, Puerto Rico would have received \$2,539,650 instead of the \$2,377,490 actually received in accordance with the 1951 apportionment under the National School Lunch Act; and the Virgin Islands would have been given \$45,151 instead of \$43,639. The slight increases for these two are made possible without reducing materially the apportionment to any other State.

In enacting the National School Lunch Act, the Congress declared it to be our national policy, as a measure of national security, to safeguard the health and well being of the Nation's children by providing

adequate and nutritious lunches through a school-lunch program. Under section 4 of the Organic Act of Guam citizenship was conferred on the inhabitants of Guam. Furthermore, in its report to the Congress (H. Doc. 212, 82d Cong.) the Commission on the Application of Federal Laws to Guam appointed by the President pursuant to section 25 (b) of the Organic Act of Guam (64 Stat. 384, 390; 48 U. S. C. sec. 1421 c (b)), recommended the extension of the national school-lunch program to Guam. The children of Guam, as citizens of the United States, should receive the full benefits of the national school-lunch program. Extension of the act to Guam would not only do much toward safeguarding the health and welfare of the school children of this Pacific Territory, but would also implement the basic objectives and policy of the act. There are some 10,000 children on Guam who would be eligible to share in the benefits of the national school-lunch program. Under the bill, as recommended by the committee, Guam would have received \$—— under the 1951 apportionment.

The 3-percent limitation for Puerto Rico, Guam, and the Virgin Islands will apply only to the first apportionment of any annual or supplemental appropriation in any fiscal year and will not apply in the case of a reapportionment of funds. These provisions, however, should not be construed in the case of a reapportionment, as requiring a reduction in funds previously apportioned to Puerto Rico, Guam, and the Virgin Islands in the event that the State with the lowest per capita income returns money which it is unable to utilize and thus voluntarily reduces its allotment per child below that of Puerto Rico, Guam, and the Virgin Islands.

Since the State with the lowest per capita income may not participate in an apportionment of any supplemental appropriation because of not being able to utilize additional money, the committee bill provides that the State having the lowest per capita income among those participating in such an apportionment, shall be used as a standard for the minimum allotment per child for Puerto Rico, Guam, and the Virgin Islands.

Subsection (b) of the bill, as recommended by the committee, amends the last sentence of section 5 of the National School Lunch Act so as to provide the same changes in the methods of apportioning funds for nonfood assistance as would be made (by subsec. (a) of the bill) in the method of apportioning funds for agricultural commodities and other foods. Under this provision Puerto Rico, Guam, and the Virgin Islands would be entitled in the case of the first apportionments made from any annual or supplemental appropriation for nonfood assistance (and in such case only) to an allotment to per child of school age which shall not be less than the allotment of per school-age child in that State (other than Puerto Rico, Guam, and the Virgin Islands) having the lowest per capita income among the States participating in the apportionments in question. The subsection (c) in the present bill has been relettered as subsection (d). The committee has added a new subsection (c) to amend the definition of "States" to include Guam.

Subsection (d) of the bill, as recommended by the committee, provides that the amendments made by the bill should not apply to sums appropriated on or before the date on which the bill is enacted, but only to sums appropriated thereafter.

CHANGES IN EXISTING LAW

In accordance with subsection (4) of rule XXIX of the Standing Rules of the Senate, the changes made in existing law by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTIONS 4, 5, AND 11 (D) (1) OF THE NATIONAL SCHOOL LUNCH ACT (PUBLIC LAW 396, 79TH CONG.)

APPORTIONMENTS TO STATES

SEC. 4. The sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, excluding the sum specified in section 5, shall be available to the Secretary for supplying, during such fiscal year, agricultural commodities and other foods for the school-lunch program in accordance with the provisions of this Act. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds made available for such year for supplying agricultural commodities and other foods under the provisions of this Act **[**except that the**]**. *The total of such apportionments of funds for use in [Alaska, Territory of Hawaii, Puerto Rico,] Puerto Rico, Guam and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program[.]; except that in the case of the first apportionments of funds from any annual or supplemental appropriation (and only in such case), the apportionment for Puerto Rico, the apportionment for Guam, and the apportionment for the Virgin Islands, shall not be less than the amount which will result in an allotment per child of school age equal to the allotment per child of school age in the State (other than Puerto Rico, Guam and the Virgin Islands) having the lowest per capita income among the States participating in such first apportionments.* Apportionment among the States shall be made on the basis of two factors: (1) The number of school children in the State and (2) the need for assistance in the State as indicated by the relation of the per capita income in the United States to the per capita income in the State. The amount of the initial apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and, finally, apply the figure thus obtained to the total funds to be apportioned. For the purpose of this section, the number of school children in the State shall be the number of children therein between the ages of five and seventeen, inclusive; such figures and per capita income figures shall be the latest figures certified by the Department of Commerce. For the purposes of this Act, "school" means any public or nonprofit private school of high-school grade or under and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico. If any State cannot utilize all funds so apportioned to it, or if additional funds are available under this Act for apportionment among the States, the Secretary shall make further apportionments to the remaining States in the same manner.

SEC. 5. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 3 of this Act, \$10,000,000 shall be available to the Secretary for the purpose of providing, during such fiscal year, nonfood assistance for the school-lunch program pursuant to the provisions of this Act. The Secretary shall apportion among the States during each fiscal year the aforesaid sum of \$10,000,000, and such apportionment among the States shall be on the basis of the factors, and in accordance with the standards, set forth in section 4 with respect to the apportionment for agricultural commodities and other foods. The total of such funds apportioned for nonfood assistance for use in **[**Alaska, Territory of Hawaii, Puerto Rico,**]** *Puerto Rico, Guam* and the Virgin Islands shall **[**not exceed 3 per centum of the funds appropriated for nonfood assistance in accordance with the provisions of this Act.**]** *be determined subject to the provisions of the third sentence of section 4.*

SEC. 11. * * *

(d) * * *

(1) "State" includes any of the forty-eight States, the District of Columbia, Hawaii, Alaska, Puerto Rico, *Guam* and the Virgin Islands.

Calendar No. 1606

82^D CONGRESS
2^D SESSION

H. R. 1732

[Report No. 1677]

IN THE SENATE OF THE UNITED STATES

OCTOBER 16 (legislative day, OCTOBER 1), 1951

Read twice and referred to the Committee on Labor and Public Welfare

JUNE 5, 1952

Reported by Mr. HILL, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) the second sentence of section 4 of the National
4 School Lunch Act (42 U. S. C., sec. 1753) is amended to
5 read as follows: "The Secretary shall apportion among the
6 States during each fiscal year not less than 75 per centum
7 of the aforesaid funds made available for such year for
8 supplying agricultural commodities and other foods under the
9 provisions of this Act. The total of such apportionments of
10 funds for use in Puerto Rico, *Guam*, and the Virgin Islands

1 shall not exceed 3 per centum of the funds appropriated for
 2 agricultural commodities and other foods for the school-lunch
 3 program; except that in the case of the first apportionments
 4 of funds from any annual or supplemental appropriation
 5 (and only in such case), the apportionment for Puerto Rico,
 6 *the apportionment for Guam*, and the apportionment for
 7 the Virgin Islands, shall be not less than that amount which
 8 will result in an allotment per child of school age equal to
 9 the allotment per child of school age in the State (other
 10 than Puerto Rico, *Guam*, and the Virgin Islands) having
 11 the lowest per capita income among the States participating
 12 in such first apportionments.”

13 (b) The last sentence of section 5 of such Act (42
 14 U. S. C., sec. 1754) is amended to read as follows: “Ap-
 15 portionments of funds for use in Puerto Rico, *Guam*, and
 16 the Virgin Islands for nonfood assistance shall be determined
 17 subject to the provisions of the third sentence of section 4.”

18 (c) *Section 11 (d) (1) of the National School Lunch*
 19 *Act (42 U. S. C., sec. 1760 (d) (1)) is amended to read*
 20 *as follows:*

21 “(1) ‘State’ includes any of the forty-eight States, the
 22 District of Columbia, Hawaii, Alaska, Puerto Rico, *Guam*,
 23 *and the Virgin Islands.*”

24 ~~(e)~~ (d) The amendments made by this Act shall be

- 1 effective only with respect to sums appropriated after the
- 2 date on which this Act is enacted.

Amend the title so as to read: "An Act to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands."

Passed the House of Representatives October 15, 1951.

Attest:

RALPH R. ROBERTS,

Clerk.

82ND CONGRESS
2^D Session

H. R. 1732

[Report No. 1677]

AN ACT

To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands.

OCTOBER 16 (legislative day, OCTOBER 1), 1951

Read twice and referred to the Committee on Labor and Public Welfare

JUNE 5, 1952

Reported with amendments

Senate

June 21, 1952

designee. In addition to the committee amendments, agreed to an amendment by Sen. Case to eliminate the specific authorization for the Government to conduct or contract for research on weather control and to be liable for damage suits in connection with such research. (pp. 7909-11.)

13. **WATER UTILIZATION.** Passed with amendment H. R. 6578, providing for research into and development of practical means for the economical production from sea or other saline waters, water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses. Agreed to a Case amendment, in the nature of a substitute, to eliminate the building and operation of a plant by the Interior Department and authorizes in lieu thereof the making of contracts with private research foundations and industry, and an increase in the amount of funds which may be expended from \$1,000,000 to \$2,000,000 over a 5 year period. (pp. 7913-15.)
14. **EXTENSION WORK.** Passed as reported H. R. 6773, providing for additional authorizations for extension work in certain states which would otherwise lose funds as a result of the 1950 census (p. 7923).
15. **FARM CENSUS.** Passed as reported H. R. 7202, providing for an agricultural census in October 1954 and decennially thereafter in the same month (p. 7912).
16. **RECLAMATION.** Passed as reported H. R. 2813, to authorize the construction, operation, and maintenance of the Colibran reclamation project, Colo. (pp. 7933-4).
17. **APPROPRIATIONS.** Sen. McClellan was appointed an additional conferee on H. R. 7368, Army civil-functions appropriation bill for 1953 (p. 7905).
18. **SCHOOL LUNCH PROGRAM.** Agreed to committee amendments to H. R. 1732, amending the National School Lunch Act relative to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands, and passed over consideration of the bill after Sen. Johnston objected to it (pp. 7920-1).
19. **PURCHASING.** Agreed to a committee amendment in the nature of a substitute to S. 2487, permitting judicial review of Government contracting officers' decisions involving questions of fact arising under contracts in cases other than those in which fraud is alleged, and passed over further consideration thereof after an objection to the bill by Sen. Douglas (p. 7917).
20. **TRANSPORTATION.** Passed over S. 2653, to standardize rates for shipment of household goods shipped by the Government for its employees. Sen. Morse spoke in opposition to this bill, and Sen. Johnson (Colo.) spoke in favor of it (pp. 7912-3).
21. **TRANSPORTATION.** Passed over S. 2364, to authorize the ICC to revoke or amend, under certain conditions, water carrier certifications and permits, after hearing an explanation of the measure by Sen. Johnson (Colo.), and an objection thereto by Sen. Morse (p. 7926).
Passed over S. 2355, to establish finality of contracts between the Government and common carriers of freight and passengers to the ICC, after agreeing to a committee amendment, and after an objection to the bill by Sen. Aiken (pp. 7926-8).
22. **CREDIT UNIONS.** Passed as reported S. 2384, to amend the D. C. Credit Unions Act (p. 7942).
23. **PURCHASING.** Passed with amendments H. R. 7405, to provide for the establishment

by the Defense Department of a single supply cataloging system, standardization of supplies, etc. (pp. 7946-7).

24. WATER RIGHTS. Passed with amendments S. 18, to authorize suits against the U. S. to adjudicate and administer water rights (pp. 7951-2).
25. LAND TRANSFER. Passed with amendment S. 3052, authorizing GSA to transfer to the Navy Department a parcel of land located at San Diego previously belonging to USDA and used in connection with an emergency rubber project (pp. 7936-7).
26. RECESSED until Mon., June 23 (p. 7953). LEGISLATIVE PROGRAM as announced by the acting majority leader: Mon., Puerto Rican constitution and, if time permits, duties on tuna-fish imports and Internal Revenue Code amendments; remainder of the week undetermined; except that "it is expected that" the Interior Department appropriation bill will be taken up and "it is hoped that" the State, Justice, Commerce Departments appropriation bill will be considered, during the latter part of the week (pp. 7952-3).

BILLS INTRODUCED

27. PERSONNEL. H. R. 8318, by Rep. Morrison, to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended, so as to provide certain benefits for employees engaged in law-enforcement work who because of disability or other reasons are unable to complete 20 years of service in such work; to Post Office and Civil Service Committee (p. 7903).
H. R. 8324, by Rep. Hall, to permit optional retirement at 60 years of age; to Post Office and Civil Service Committee (p. 7903).
28. ST. LAWRENCE SEAWAY. H. J. Res. 485, to authorize a compact or agreement between the States of Maine, New Hampshire, Vermont, New York, Pennsylvania, Ohio, Indiana, Michigan, Illinois, Wisconsin, Minnesota, and certain other States, and the Dominion of Canada, with respect to the St. Lawrence seaway; to Public Works Committee (p. 7903).

ITEMS IN APPENDIX - June 20

29. PRICE CONTROL. Rep. Garmatz inserted Ellis Arnall's (director, OPS) letter to the editor of Business Week denying the assertion that "top staff men at the Office of Price Stabilization are working on a plan to scrap most price ceilings entirely" (p. A4049).
Rep. Harrison inserted Samuel Fraser's (executive vice president of the International Apple Association) statement urging removal of all OPS controls on apples and pears (pp. A4065-6).
30. TOBACCO. Rep. Wier inserted a Washington Post article, "Maryland Affairs: Tobacco Counties Want Props Put Back," discussing the problems of the Maryland tobacco farmer and favoring Rep. Sasser's bill which would provide price support for the 1952 crop of Maryland tobacco (p. A4070).
31. COTTON. Rep. Smith inserted a Memphis Commercial Appeal article discussing the lasting qualities of cotton (p. A4074).
32. MATERIAL SHORTAGES. Extension of remarks of Rep. Jenison favoring the Sadlak amendment to the Defense Production Act extension bill which would make ineffective the International Materials Conference, and inserting a report of 10 House Members discussing the effects of controls over sulfur, newsprint, copper, and other materials (pp. A4077-80).

Frederick J. Powers was considered, ordered to a third reading, read the third time, and passed.

MOTHER ANNA FASULO

The bill (H. R. 2296) for the relief of Mother Anna Fasulo was considered, ordered to a third reading, read the third time, and passed.

KLOMAN INSTRUMENT CO., INC.

The bill (H. R. 2413) for the relief of the Kloman Instrument Co., Inc., was considered, ordered to a third reading, read the third time, and passed.

MRS. BEVERLY BRUNELL ROTH

The bill (H. R. 2510) for the relief of Mrs. Beverly Brunell Roth was announced as next in order.

Mr. SCHOEPPPEL. Mr. President, I understand that the Navy Department opposes the bill. May we have an explanation of it?

Mr. McCARRAN. Mr. President, the claimant in this case was a member of a USO entertainment troupe who was seriously injured when a jeep in which she was a passenger was overturned on the island of Saipan on October 16, 1945.

The Department of the Navy admits that her injuries were caused by the negligence of the enlisted man who was driving the jeep at the time of the accident. She received a certain amount of compensation under an insurance contract with the USO, and a majority of her hospital and medical expenses were rendered by the Government at no cost to her. However, she has suffered a certain degree of cosmetic damage, and her talent as a singer has been impaired to a considerable extent. For these reasons, the committee was of the opinion that she is entitled to compensation from the Government.

This bill would pay her the amount of \$7,500 in full settlement of all her claims against the United States in connection with this accident.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

SEBASTIANO BELLO ET AL.

The bill (H. F. 3155) for the relief of Sebastiano Bello, Dino Bianchi, Pierino Ciccarese, Vincenzo Dall'Alda, Vittorio De Gasperi, Salvatore Puggioni, Giovanni Battista Volpato, and Leone Montini was considered, ordered to a third reading, read the third time, and passed.

GABRIELLA RUBIDO ZICHY

The bill (H. R. 3534) for the relief of Gabriella Rubido Zichy was considered, ordered to a third reading, read the third time, and passed.

DR. ALEXANDER SYMEONIDIS

The Senate proceeded to consider the bill (H. R. 3600) for the relief of Dr. Alexander Symeonidis which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the laws relating to immigration and naturalization, Doctor Alexander Symeonidis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 25, 1947, the date of his first entry into the United States.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PACIFIC FRUIT EXPRESS CO.

The bill (H. R. 3616) for the relief of the Pacific Fruit Express Co. was announced as next in order.

Mr. SCHOEPPPEL. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, this bill provides compensation to the Pacific Fruit Express Co. for loss of certain of their property situated on the right-of-way of the Union Pacific Railroad in the vicinity of Wallula, Wash., caused by the flooding of the site due to the operation of the McNary Dam.

Although all other property owners are able to be compensated by the Government, this claimant has a type of property interest known as a "tenancy at will," and under the strict interpretation of the law cannot be compensated other than by way of private legislation. The amount awarded is one which has been determined to be just and reasonable following consultation between the interested Government departments and the claimant.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection the bill was considered, ordered to a third reading, read the third time, and passed.

SAMUEL THOMAS WONG

The bill (H. R. 4067) for the relief of Samuel Thomas Wong was considered, ordered to a third reading, read the third time, and passed.

ISABELLE F. STORY

The bill (H. R. 4070) for the relief of Isabelle F. Story was considered, ordered to a third reading, read the third time, and passed.

SOR EUFRASIA GOMEZ GALLEG0 ET AL.

The bill (H. R. 5208) for the relief of Sor Eufrasia Gomez Gallego, Sor Francisca Gil Martinez, and Sor Rosalia De

La Maza was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF FLOYD L. GREENWOOD

The bill (H. R. 5479) for the relief of the estate of Floyd L. Greenwood was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Reserving the right to object, the bill involves a large sum of money, and I believe the Record should show an explanation.

Mr. McCARRAN. Mr. President, this bill provides for payment of \$10,000 to the estate of Floyd L. Greenwood, of Cloverport, Ky., in full settlement of all claims of said estate against the United States for the wrongful death of the said Floyd L. Greenwood resulting from an accident involving a United States Army vehicle and caused by the admitted negligence of the soldier driving the Army vehicle.

On October 4, 1949, a soldier at Fort Knox, Ky. drove a truck through the gates of Fort Knox without authority and without being challenged or examined for the requisite authority and subsequently drove this truck in such a negligent manner as to cause a collision with a taxicab in which the decedent involved herein was riding as a passenger, causing the latter's death.

The Department of the Army has advised that it considers the proposed award of \$10,000 to be fair and reasonable, particularly in view of the fact that the decedent left surviving his wife and 10 minor children.

The committee concurs in this opinion and recommends that this bill be considered favorably.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 5479) for the relief of the estate of Floyd L. Greenwood was considered, ordered to a third reading, read the third time, and passed.

PETER MIHALY BEREND

The Senate proceeded to consider the bill (H. R. 5687) for the relief of Peter Mihaly Berend which has been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the immigration and naturalization laws, Peter Mihaly Berend shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Per-

sons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953).

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CHIZUKO NAKAGAMI

The bill (H. R. 5759) for the relief of Chizuko Nakagami was considered, ordered to a third reading, read the third time, and passed.

VERONICA MERITA RITSON

The bill (H. R. 5957) for the relief of Veronica Merita Ritson was considered, ordered to a third reading, read the third time, and passed.

FRED AUGUSTUS SNEAD, JR.

The bill (H. R. 6023) for the relief of Fred Augustus Snead, Jr., was considered, ordered to a third reading, read the third time, and passed.

GORDON UGLOW

The bill (H. R. 6231) for the relief of Gordon Uglow was considered, ordered to a third reading, read the third time, and passed.

ADMISSION OF WONG NG CHIN CHUN TO THE UNITED STATES

The bill (H. R. 6259) to authorize the admission of Wong Ng Chin Chun to the United States was considered, ordered to a third reading, read the third time, and passed.

LOUIS R. CHADBOURNE

The bill (H. R. 6264) for the relief of Louis R. Chadbourne was considered, ordered to a third reading, read the third time, and passed.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 81) favoring the suspension of deportation of certain aliens was considered and agreed to.

(For text of above concurrent resolution, see CONGRESSIONAL RECORD of June 4, 1952, pp. 6603-6606.)

RESOLUTION FAVORING GRANT OF PERMANENT-RESIDENCE STATUS TO CERTAIN ALIENS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 191) favoring the granting of the status of permanent residence to certain aliens which had been reported from the Committee on the Judiciary with amendments on page 2, to strike out lines 5, 6, 7, 18, 19, 20, 24, and 25; on page 3, to strike out lines 1, 2, 7, 9, 11, and 21; on page 4, to strike out lines 3, 4, 5, 6, 7, 8, 9, 10, 12, 20, 23, 24, and 25; on page 5, to strike out lines 1, 7, 8, 15, 16,

17, 18, and 21; on page 6, to strike out lines 2, 3, 4, 5, 6, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, and 25; on page 7, to strike out lines 1, 2, 3, 4, 5, 8, 11, 13, 14, 22, and 25; on page 8, to strike out lines 1, 2, 3, 7, 12, 17, 19, and 24; on page 9, to strike out lines 1, 2, 3, 4, 9, 18, 19, 20, and 22; on page 10, to strike out lines 1, 2, 3, 5, 8, 11, 12, 15, and 17; on page 11, to strike out lines 7, 8, 13, 14, 19, and 25; on page 12, to strike out lines 1, 2, 3, 6, 9, 14, 19, 20, 23, and 24; on page 13, to strike out lines 2, 13, 15, 16, 22, 24, and 25; on page 14, to strike out lines 1, 7, 8, 15, and 25; on page 15, to strike out lines 6, 7, 8, 9, 10, 16, 17, 18, 20, and 24; on page 16, to strike out lines 1, 2, 4, 5, 6, 7, 8, 11, 12, 13, 19, 20, 23, 24, and 25; on page 17, to strike out lines 2, 3, 4, 5, 6, 11, 13, 14, 18, and 19; on page 18, to strike out lines 2, 3, 4, 5, 7, 8, 10, 17, 18, 19, 24, and 25; on page 19, to strike out lines 1, 2, 9, 12, 13, 15, 17, and 24; on page 20, to strike out lines 1, 3, 5, 6, 7, 10, 18, 22, 23, and 24; on page 21, to strike out lines 5, 8, 12, 21, 23, 24, and 25; on page 22, to strike out lines 10, and 19; on page 23, to strike out lines 1, 4, 5, 8, 9, 10, 11, 12, 17, 18, 19, 20, and 21; on page 24, to strike out lines 1, 2, 8, 9, 16, 17, 23, and 24; on page 25, to strike out lines 1, 2, 4, 7, 8, 15, 18, 19, 20, 21, 22, and 23; on page 26, to strike out lines 1, 6, 7, 8, 14, 16, 18, 19, 20, and 21; on page 27, to strike out lines 4, 6, 10, 13, 14, 15, 16, 19, and 25; on page 28, to strike out lines 1, 2, 5, 6, 8, 9, 10, 11, 12, 16, and 17; on page 29, to strike out lines 3, 4, 5, 6, 7, 8, 9, 15, 16, 19, and 24; on page 30, to strike out lines 1, 12, 17, 19, and 20; on page 31, to strike out lines 1, 2, 3, 9, 13, 14, 16, 24, and 25; on page 32, to strike out lines 8, 9, 10, 11, 15, 16, 20, and 22; on page 33, to strike out lines 7, 8, 10, 12, 17, 18, 19, and 20; on page 34, to strike out lines 10, 12, 13, and 21; on page 35, to strike out lines 1, 5, 6, 8, 18, 19, 20, 22, 23, and 25; on page 36, to strike out lines 1, 6, 7, 8, 14, 16, 17, 20, 22, and 25; on page 37, to strike out lines 1, 3, 5, 7, 12, 17, 18, and 21; on page 38, to strike out lines 3, 4, 6, 9, 14, 15, 18, 23, and 25; on page 39, to strike out lines 1, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, and 23; on page 40, to strike out lines 2, 5, 6, 11, 13, 14, 15, 16, 17, and 18; on page 41, to strike out lines 3, 4, 8, 9, 14, 15, 16, 18, 19, 22, and 23; on page 42, to strike out lines 1, 2, 9, 20, and 21; on page 43, to strike out lines 1, 2, 3, 7, 9, 11, 12, 13, 14, 19, 20, 21, 24, and 25; on page 44, to strike out lines 3, 4, 10, 11, 13, 18, 19, 20, and 22; on page 45, to strike out lines 8, 9, 16, 17, 18, 19, 20, 21, and 24; on page 46, to strike out lines 3, 4, 8, 9, 10, 17, 18, 21, and 25; on page 47, to strike out lines 1, 2, 8, 9, 17, 21, 22, 23, 24, and 25; on page 48, to strike out lines 3, 4, 5, and 6; on page 49, to strike out lines 2, 4, 5, 11, 17, 21, and 22; on page 50, to strike out lines 2, 3, 4, 5, 7, 14, 18, 19, 20, and 21; and on page 51, after line 3, to insert:

A-6421949, Malaxa, Nicolae.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

Mr. McCARRAN. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Nevada.

The CHIEF CLERK. On page 4, line 11, it is proposed to strike out:

A-6887953, Sefcik, Ludvik Tom or Louis H. Sefcik.

Mr. McCARRAN. Mr. President, the purpose of the amendment is to strike out one name from the concurrent resolution which the Attorney General has requested be returned to the jurisdiction of the Department of Justice.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.
The concurrent resolution (H. Con. Res. 191), as amended, was agreed to.

BILL PASSED OVER

The bill (S. 2115) to continue the existing method of computing parity prices for basic agricultural commodities, was announced as next in order.

Mr. SCHOEPEL. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

APPORTIONMENT OF SCHOOL-LUNCH FUNDS TO UNITED STATES TERRITORIES AND INSULAR POSSESSIONS—BILL PASSED OVER

The Senate proceeded to consider the bill (H. R. 1732) to amend the National School Lunch Act, with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands, which had been reported from the Committee on Labor and Public Welfare with amendments on page 1, line 10, after the name "Puerto Rico", to insert "Guam"; on page 2, line 6, after the name "Puerto Rico", to insert "the apportionment for Guam"; in line 10, after the name "Puerto Rico", to insert "Guam"; in line 15, after the name "Puerto Rico", to insert "Guam"; after line 17, to insert:

(c) Section 11 (d) (1) of the National School Lunch Act (42 U. S. C., 1760 (d) (1)) is amended to read as follows:

"(1) 'State' includes any of the 48 States, the District of Columbia, Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands."

And in line 24, to reletter the subsection from "(c)" to "(d)."

The amendments were agreed to.

Mr. SCHOEPEL. Mr. President, may we have an explanation of the measure, as amended?

Mr. HILL. Mr. President, under the present law providing for the school-lunch program, Alaska, Hawaii, Puerto Rico, and the Virgin Islands are limited to 3 percent of the funds appropriated annually for that program. As Senators will recall, the main factor in determining the quota of each State or Territory is the per capita income. The Territories of Alaska and Hawaii have now reached a per capita income which is in line with the per capita income of the average State of the Union. It is felt to

be only fair and right, their per capita income having reached the average, so to speak, in the United States, that they should participate in the program on the same basis on which the States participate. So far as Puerto Rico, the Virgin Islands, and Guam are concerned, their per capita incomes are still very low, and I believe they should continue under the present law.

Mr. JOHNSTON of South Carolina. Mr. President, I object to the bill.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

FILING OF RAILROAD EQUIPMENT TRUST AGREEMENTS, ETC.—BILL PASSED OVER

The bill (S. 3161) to amend part I of the Interstate Commerce Act to provide for filing of equipment trust agreements and other documents evidencing or relating to the lease, mortgage, conditional sale, or bailment of railroad equipment was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, I would appreciate having an explanation of the bill for the RECORD.

Mr. JOHNSON of Colorado. Mr. President, there has developed a system of providing railroad equipment through an arrangement known as the equipment trust, whereby life-insurance companies and other corporations finance the building of locomotives, freight cars, and other railroad equipment. Under the law the equipment trusts' records must be recorded in every county of every State through which the railroad operates. The cost for each recordation runs from \$400 to \$500 for each record, and no good purpose is served by it, provided the record is available in one central place where it may be inspected by anyone who is interested. That proper place, according to the bill, is the Interstate Commerce Commission.

The purpose of the bill is, therefore, to make the Interstate Commerce Commission the recording office, and not to require that such agreements and documents be recorded all over the country. The present recording system costs a great deal of money, takes a great deal of time, and does not serve a useful purpose.

Mr. HENDRICKSON. Mr. President, I thank the Senator from Colorado, and I commend him and his committee for this bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. AIKEN. I object.

Mr. JOHNSTON of South Carolina. Mr. President, let me ask the Senator from Colorado whether the Interstate Commerce Commission approves of this bill?

Mr. JOHNSON of Colorado. Of course, the Interstate Commerce Commission, like many other Government agencies, would be glad not to have additional work assigned to it. As a matter of fact,

however, the Commission did not make that objection.

Mr. JOHNSTON of South Carolina. Was there any objection on the basis that with the new arrangement it might be inconvenient for people to ascertain what records are involved?

Mr. JOHNSON of Colorado. No. As a matter of fact, the system inaugurated by the bill will be much more convenient than the present system, which requires one to go to the various counties.

For instance, there is a similar provision in the Civil Aeronautics Act, and a similar provision in the Ship Mortgage Act, and similar provisions in the case of the Motor Power Act of 1919 and the Transportation Act of 1920.

In the Bills of Lading Act there is a similar provision for a central recording agency and policy and plan.

Mr. HENDRICKSON. Mr. President—

The PRESIDING OFFICER. Objection has already been made to present consideration of the bill.

Mr. HENDRICKSON. However, I wish to ask a question.

Mr. JOHNSON of Colorado. Mr. President, has objection been made to the bill?

The PRESIDING OFFICER. Yes; the Senator from Vermont [Mr. AIKEN] objected to present consideration of the bill.

Mr. HENDRICKSON. Mr. President, let me inquire whether passage of this bill would result in saving considerable expense to the public.

Mr. JOHNSON of Colorado. It would. As I have said, the cost of each mortgage recordation is \$400 or \$500, and many of them are required to be made 25 times. Therefore, when \$500 is multiplied by 25, the expense involved can be appreciated.

As I have said repeatedly, it serves no purpose, but is simply an extra expense and requires a great deal of work on the part of the recording clerks in the several counties and States.

On the other hand, if the recording were done at one central place, it would be easy for persons to examine the recordations, of course.

On December 31, 1951, there were \$2,260,000,000 of outstanding mortgages of this kind, in the form of equipment trusts. So it can be realized that the business is a rather large one and involves an immense cost to someone. In this case, the someone is the man who has a freight-hauling business or a passenger-hauling business.

The PRESIDING OFFICER. Objection has been made, and the bill will be passed over.

The clerk will call the next bill on the calendar.

AMENDMENT OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT—BILL PASSED OVER

The bill (H. R. 7714) to amend the Universal Military Training and Service Act, as amended, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CASE. Mr. President, reserving the right to object, let me say there may be considerable argument in favor of passage of the bill, but I shall have to object to its passage at this time. I shall state very briefly my reasons for doing so.

This bill would permit the President to retain for the Army the unit organization numbers of National Guard units. The State of South Dakota has two National Guard units, which were among the first called. One was sent to Alaska, and the other was sent to Germany. Both of them are now about to return or are in the process of returning to their home States. The boys who have served in them feel that those National Guard units should carry back to their States their insignia, unit numbers, traditions, and the history of their organization.

This bill is a proposal to have sort of a dual system, with the same numbers retained for the Army, and then to give the National Guard units additional initials, NGUS, so as to identify the units when they return to the States.

However, the officers and men of our Guard units tell me that the men in the South Dakota units feel very definitely that the enactment of this bill will mean the destruction of the National Guard, that it would destroy the morale of the returning officers and men, and that if an arrangement of this sort is made, they would have no interest in trying to maintain the Guard units or recruit for them when they return to the States.

They may be mistaken in their understanding of the proposal. It may be preferable to the alternative of losing their unit or outfit's number altogether. They may not see the problem of the Army as a whole; they may not understand the 5-year limitation on the borrowing of the unit's designation. But before this step is irrevocably taken, they should have an opportunity to know the full story.

This matter has been the subject of considerable discussion and correspondence between the Governor of my State and the Federal Government, with the result that I feel this bill is hardly one which should be passed on the call of the Consent Calendar. I believe consideration of the bill at least should be postponed.

Therefore, I must ask that the bill go over.

Mr. HUNT. Mr. President, will the Senator from South Dakota withhold his objection, in order to permit a brief explanation of the bill to be made?

Mr. CASE. Certainly.

Mr. HUNT. I think there are some features of the bill with which the Senator from South Dakota is not familiar.

Enactment of this bill was requested by the National Guard Association. The reason is that as the boys are now returning from their 24 months' tour of duty, they do not like to go to their home States and reenlist or connect themselves with other National Guard

units which have different numbers, different history, different traditions, and different colors.

So the object of the bill primarily is to make it possible for these boys again to join their old units.

In my State—and I expect the same is true in practically all the other States—each National Guard unit has certain traditions, and the entire State has considerable respect for its National Guard units.

As the National Guard units have been called up, they have reported at approximately 50 percent of their full strength. When those units entered the Federal service, they were used primarily as training units, and additional men were fed into them. Then, from time to time, as men were needed, the Federal authorities pulled men out of these units and sent them wherever they were needed.

The situation which now has developed is that the South Dakota or Wyoming units in Korea which bear the State National Guard numbers and have the State National Guard colors, are no longer South Dakota or Wyoming units in the true sense of the word at all. Perhaps very few of the men who originally were with the units are still with them.

The purpose of this bill is to make it possible for each State to maintain the colors, the traditions, and everything else that goes with a National Guard unit for a particular State, and not to allow these units to be dissipated through the Federal Army.

Mr. HENDRICKSON. Mr. President, will the Senator from Wyoming yield to me?

Mr. HUNT. I yield.

Mr. HENDRICKSON. Is it not true that passage of the bill would effect savings of approximately \$5,300,000 or more?

Mr. HUNT. Passage of the bill would effect tremendous savings; I agree with the Senator from New Jersey.

However, the principal purpose is to allow each State to maintain its National Guard unit colors and history, and not to have them dissipated throughout the armed services as a result of the war.

If the Senator from South Dakota continues to object, I should like to ask that the bill be placed at the head of the next calendar call.

Mr. CASE. Mr. President, let me say that I think the Senator from Wyoming has accurately described the purpose of the bill.

Before this proposal to establish a sort of dual or parallel structure was presented, there was universal complaint, throughout the National Guard against proposals to take over the guard designations and to give them entirely new numbers. The present proposal is certainly an improvement in that respect and the statement that the National Guard Association has endorsed the bill is correct, I understand, but I have been told by some that they felt the endorsement was given under considerable pressure, through certain military influences.

It would be impossible for me to agree to have the bill passed by unanimous

consent, at this time, in view of the very strong position taken by the two National Guard units of my own State, which are returning this summer, and in view of the position taken by the Governor of my State.

I recognize that there is some argument in favor of passage of the bill. However, despite what the Senator from Wyoming has said, as the returning men have talked to me, as they have come through Washington or as I have heard from some of them, either by direct correspondence or, by way of correspondence with the Governor of the State, I have learned that they do not feel that the enactment of this bill would preserve the National Guard units of the States.

A returning officer, who was here within the past month, made to me the flat statement that he felt this proposal for dual designations would destroy the National Guard of the State.

With that very strong feeling on the part of those men, I am constrained to object.

The PRESIDING OFFICER. Objection is made, and the bill will be passed over.

Mr. HENDRICKSON. Mr. President, will the Senator from South Dakota withhold his objection for a moment?

Mr. CASE. Yes.

Mr. HENDRICKSON. I should like to have the record show that the passage of this bill, according to the House committee report, and according to the Senate committee report, would effect savings of \$5,931,000. That is quite an item; and when it is coupled with the argument the Senator from Wyoming has made in behalf of passage of the bill, I think the bill should receive consideration at an early date.

Mr. CASE. Let me state that the report does indicate—

The PRESIDING OFFICER. The Chair reminds Senators that during the call of the calendar the Senate operates under the 5-minute rule, and the Chair feels that the time available in connection with this measure has been consumed.

Mr. CASE. Mr. President, I ask unanimous consent that I may proceed for an additional minute.

The PRESIDING OFFICER. Without objection, the Senator from South Dakota may proceed for one more minute.

Mr. CASE. I wish to say that I am interested in having savings made, and apparently there would be an initial saving as the result of passage of this bill. On the other hand, I note from the report on the bill that eventually both units would have to be fully staffed and equipped so that there would not be an ultimate saving in the cost of equipment and the maintenance of the units. So I am in considerable doubt as to the actual amount of saving in the long run.

Mr. HUNT. Mr. President, I ask unanimous consent that at this time I may proceed for one additional minute.

The PRESIDING OFFICER. Without objection, the Senator from Wyoming will be recognized for an additional minute.

Mr. HUNT. Mr. President, I appreciate the contribution by the Senator

from New Jersey. It will save the amount of money that he has mentioned. However, I want to impress on all Senators that, if reorganized without the benefit of this bill, units of the National Guard cannot retain their colors and their identity.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938—IMPOSITION OF CIVIL PENALTIES—BILL PASSED TO THE NEXT CALL OF THE CALENDAR

The bill (S. 2213) to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, on page 2, line 21, after the word "Board", to insert "or the Secretary of Commerce", so as to make the bill read:

Be it enacted, etc., That section 901 (a) of the Civil Aeronautics Act of 1938, as amended, is amended to read:

"CIVIL PENALTIES

"SAFETY, ECONOMIC, AND POSTAL OFFENSES

"SEC. 901. (a) Any person who violates (1) any provision of title V or VI of this act, or any provision of subsection (a) (1) of section 11 of the Air Commerce Act of 1926, as amended, or (2) any provision of title IV or VII of this act, or any order, rule, or regulation issued under any such provision, or under section 1002 (1), or any term, condition, or limitation of any permit or certificate issued under title IV, or (3) any rule or regulation issued by the Postmaster General under this act, shall be subject to a civil penalty of not to exceed \$1,000 for each such violation. Any such penalty imposed under clause (1) may be compromised by the Secretary of Commerce; any such penalty imposed under clause (2) may be compromised by the Civil Aeronautics Board, and any such penalty imposed under clause (3) may be compromised by the Postmaster General. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged."

SEC. 2. That section 902 (a) of the Civil Aeronautics Act of 1938, as amended, is amended to read:

"CRIMINAL PENALTIES

"GENERAL

"SEC. 902. (a) Any person who knowingly and willfully violates any provision of this act (except titles V, VI, and VII), or any order, rule, or regulation issued by the Civil Aeronautics Board or the Secretary of Commerce under any such provision or any term, condition, or limitation of any certificate or permit issued under title IV, for which no penalty is otherwise provided in this section, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject for the first offense to a fine of not more than \$500, and for any subsequent offense to a fine of not more than \$2,000. If such violation is a continuing one, each day of such violation shall constitute a separate offense."

The amendment was agreed to.

Mr. SCHOEPPLE. Mr. President, may we have an explanation of this measure?

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8. **NOMINATION.** The Public Works Committee reported favorably the nomination of Raymond Ross Paty to the TVA Board (p. 9177).
9. **RETIREMENT.** Senate conferees were appointed on S. 2968, to increase the annuities under the Civil Service Retirement Act (pp. 9178-9).
10. **BUDGETING.** Passed without amendment S. Con. Res. 27, to provide for a consolidated appropriation bill each year. Later, at the request of Sen. Hayden, the vote was reconsidered and the measure was passed over. (p. 9182.)
11. **PERSONNEL.** Passed without amendment S. 1811, to suspend the running of the statutes of limitations applicable to offenses involving performance of official duties by Government personnel. Later, at the request of Sen. Morse, the vote was reconsidered and the bill was passed over. (p. 9184.)
12. **INVESTIGATIONS.** Passed without amendment S. J. Res. 143, to authorize a special investigator and a staff to investigate improper and illegal conduct in the transaction of Government business, etc. (pp. 9184-5).
13. **PURCHASING.** Passed with amendment S. 2487, to permit review of decisions of Government contracting officers involving questions of fact arising from Government contracts in cases other than those in which fraud is alleged (pp. 9188-9).
14. **SCHOOL LUNCH PROGRAM.** Passed as reported H. R. 1732, to amend the National School Lunch Act so as to provide for the apportionment of additional funds to Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands (p. 9189).
15. **TRANSPORTATION.** Passed as reported S. 2364, to authorize ICC to revoke or amend, under certain conditions, water-carrier certificates and permits. Later, at the request of Sen. Aiken, the vote was reconsidered and the bill was passed over. (pp. 9190-1.)
16. **COST-OF-LIVING ALLOWANCES.** Passed without amendment S. 2008, to permit payment of cost-of-living allowances to Government employees outside continental U. S. in excess of 25% of the rate of basic pay (p. 9194).
17. **RECLAMATION.** Passed without amendment H. R. 6723, to approve contracts negotiated with the Gering and Fort Laramie irrigation district, the Goshen irrigation district, and the Pathfinder irrigation district; and to authorize the execution of contracts on the North Platte Federal reclamation project (pp. 9195-6). This bill will now be sent to the President.
Passed without amendment H. R. 6163, to authorize irrigation works in connection with Chief Joseph Dam (p. 9268). This bill will now be sent to the President.
Sen. Douglas inserted correspondence with the Army and Interior Departments concerning cost allocations, repayments, and the application of reclamation law to the Kings River project, Calif. (pp. 9308-12).
18. **FARM TENANT LOANS.** Passed without amendment H. R. 4799, to amend Sec. 73 (i) of the Hawaiian Organic Act so as to authorize sale of homestead lots under the Bankhead-Jones Farm Tenant Act (p. 9197). This bill will now be sent to the President.
19. **PERSONNEL.** Passed with amendment H. R. 7806, to authorize participation of certain Federal employees, without loss of pay or deduction from annual leave,

in funerals for deceased members of the Armed Forces returned to the U. S. from abroad for burial (p. 9206).

20. MINERALS. Passed without amendment H. R. 5788, to extend certain 10-year oil and gas leases (p. 9207). This bill will now be sent to the President.
21. WATER COMPACT. Passed as reported H. R. 2470, granting consent to Idaho, Montana, Oregon, Washington, and Wyoming to enter into a compact for division of Columbia River waters (pp. 9207-8, 9246).
22. PERSONNEL. Passed without amendment H. R. 7641, to provide benefits for certain Federal employees of Japanese ancestry who lost certain rights with respect to grade, time in grade, and rate of pay by reason of any policy or program of the Government with respect to such persons during World War II (p. 9208). This bill will now be sent to the President.
23. FLAMMABLE FABRICS. Passed as reported S. 2918, to prohibit interstate transportation in dangerous flammable fabrics (pp. 9214-7).
24. VETERANS' PREFERENCE. Passed with amendment H. R. 7721, to extend the Veterans' Preference Act of 1944 to persons serving in the Armed Forces of the U. S. after World War II and before July 2, 1955 (pp. 9235-6).
25. FORESTRY. Passed without amendment H. R. 5055, to authorize exchange of certain U. S. lands in Ontonagon County, Mich., for lands within the Ottawa National Forest (p. 9238). This bill will now be sent to the President.
26. INSECT RESEARCH. Passed without amendment H. R. 7952, to authorize combination of the Truck Crop Insect Laboratory and the Citrus Insect Laboratory of E&PQ at Alhambra and Whittier, Calif., respectively, and to provide for new quarters (p. 9238). This bill will now be sent to the President.
27. TOBACCO ALLOTMENTS. Discussed and passed over, at the request of Sen. Clements, H. R. 8170, to authorize reductions in the minimum farm acreage allotments for burley tobacco (p. 9238).
28. PROPERTY; ADMINISTRATIVE SERVICES. Passed as reported H. R. 5350, to amend the Federal Property and Administrative Services Act so as to increase the capital of the general supply fund, allow greater flexibility in determining the amount of reimbursement for transfer of excess property among executive agencies, extend for 1 year the authority to dispose of surplus property by negotiation, and authorize the establishment of a buildings-management working capital fund (pp. 9243-4).
29. EMERGENCY POWERS. Passed as reported S. J. Res. 165, to continue various war-time emergency powers (pp. 9301-2).
Agreed to the conference report on H. J. Res. 477, to continue various war-time emergency powers (p. 9265).
30. AIR-POLLUTION RESEARCH. The Labor and Public Welfare Committee reported without amendment H. J. Res. 218, to provide for intensified research into the causes, hazards, and effects of air pollution, into methods for its prevention and control, and for recovery of critical materials from atmospheric contaminants (S. Rept. 2079)(p. 9298).
31. WATER POLLUTION. The Public Works Committee reported without amendment H. R. 6856, to extend the Water Pollution Act (S. Rept. 2092)(p. 9298).

The title was amended so as to read: "A bill to permit review of decisions of Government contracting officers involving questions of fact arising under Government contracts in cases other than those in which fraud is alleged, and for other purposes."

BILL PASSED OVER

The bill (S. 2115) to continue the existing method of computing parity prices for basic agricultural commodities was announced as next in order.

Mr. WILLIAMS. Over.

The VICE PRESIDENT. The bill will be passed over.

AMENDMENT OF NATIONAL SCHOOL LUNCH ACT

The Senate proceeded to consider the bill (H. R. 1732) to amend the National School-Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands, which had been reported from the Committee on Labor and Public Welfare with amendments on page 1, line 10, after the name "Puerto Rico", to insert "Guam"; on page 2, line 6, after the name "Puerto Rico", to insert "the apportionment for Guam"; in line 10, after the name "Puerto Rico", to insert "Guam"; in line 15, after the name "Puerto Rico", to insert "Guam"; after line 17, to insert:

(c) Section 11 (d) (1) of the National School Lunch Act (42 U. S. C., 1760 (d) (1)) is amended to read as follows:

"(1) 'State' includes any of the 48 States, the District of Columbia, Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands."

And in line 24, to reletter the subsection from "(c)" to "(d)."

The VICE PRESIDENT. The Chair is informed that the amendments were agreed to on June 21, 1952. The question, therefore, is on the engrossment and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands."

AMENDMENT OF INTERSTATE COMMERCE ACT TO PROVIDE FOR FILING OF EQUIPMENT TRUST AGREEMENTS AND OTHER DOCUMENTS

The bill (S. 3161) to amend part I of the Interstate Commerce Act to provide for filing of equipment trust agreements and other documents evidencing or relating to the lease, mortgage, conditional sale, or bailment of railroad equipment, was announced as next in order.

Mr. MORSE. Mr. President, may we have an explanation of the bill?

The VICE PRESIDENT. An explanation is called for.

Mr. JOHNSON of Colorado. Mr. President, when the bill was considered several days ago the Senator from Vermont [Mr. AIKEN] objected to its consideration. After he had investigated the proposal carefully he withdrew his objection.

The purpose is to facilitate recordation of equipment trust cases. At the present time a railroad securing an equipment trust mortgage must record the mortgage in every county through which the railroad passes, which is entirely unnecessary. It involves an expense running into a huge sum of money, because each recordation costs about \$500. The equipment trust agreements and other documents are recorded with the Interstate Commerce Commission, where all interested parties know they can see them, and that serves every purpose better than having them recorded in all the various counties.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That part I of the Interstate Commerce Act, as amended (U. S. C., title 49), is hereby amended by inserting, after section 20b, the following new section:

"Sec. 20c. Any mortgage, lease, equipment trust agreement, conditional sale agreement, or other instrument evidencing the mortgage, lease, conditional sale, or bailment of railroad cars, locomotives, or other rolling stock, used or intended for use in connection with interstate commerce, or any assignment of rights or interest under any such instrument, or any supplement or amendment to any such instrument or assignment (including any release, discharge or satisfaction thereof, in whole or in part), may be filed with the Commission, provided such instrument, assignment, supplement or amendment is in writing, executed by the parties thereto, and acknowledged or verified in accordance with such requirements as the Commission shall prescribe; and any such instrument or other document, when so filed with the Commission, shall constitute notice to and shall be valid and enforceable against all persons including, without limitation, any purchaser from, or mortgagee, creditor, receiver, or trustee in bankruptcy of, the mortgagor, buyer, lessee or bailee of the equipment covered thereby, from and after the time such instrument or other document is so filed with the Commission; and such instrument or other document need not be otherwise filed, deposited, registered or recorded under the provisions of any other law of the United States of America, or of any State (or political subdivision thereof), territory, district or possession thereof, respecting the filing, deposit, registration or recordation of such instruments or documents." The Commission shall establish and maintain a system for the recordation of each such instrument or document, filed pursuant to the provisions of this section, and shall cause to be marked or stamped thereon, a consecutive number, as well as the date and hour of such recordation, and shall maintain, open to public inspection, an index of all such instruments or documents, including any assignment, amendment, release, discharge or satisfaction thereof, and shall record, in such index the names and addresses of the principal debtors, trustees, guarantors and other parties thereto, as well as such other facts as may be necessary to facilitate the determination of the rights of the parties to such transactions.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938—IMPOSITION OF CIVIL PENALTIES—BILL PASSED OVER

The bill (S. 2213) to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases, was announced as next in order.

Mr. SCHOEPEL. Mr. President—
Mr. SPARKMAN. Mr. President, I wonder if the Senator will withhold his objection for a moment.

Mr. SCHOEPEL. I was about to request an explanation of the bill. I yield to the Senator from Alabama.

The VICE PRESIDENT. The Senator from Alabama is recognized for 5 minutes.

Mr. SPARKMAN. Mr. President, reserving the right to object, I wish to speak briefly on this bill which would give the Civil Aeronautics Board the right to levy civil penalties up to \$1,000 for violations by airlines of CAB economic regulations. Under the present law, the CAB already has the authority to levy such civil penalties for safety violations. Thus, no issue of safety is involved.

In most instances, I would be inclined to favor such a proposal to strengthen the enforcement powers of an executive agency as is contained in S. 2213. I regret I must oppose it in this case. My reasons are based solely upon a lack of confidence in the Civil Aeronautics Board in dealing with small airline companies. The experience which the Senate Small Business Committee, of which I am chairman, has had with the CAB makes it clear that the CAB could not be depended upon to administer such authority judiciously as applied to these small companies.

With the authority it already has, the CAB has taken a series of steps to eliminate or curtail the operations of many small airlines on the grounds that they are guilty of "flying too frequently" or "too regularly"—i. e., they are guilty of giving too much service to their customers. I have little doubt that the new legislation if enacted would be used to speed up CAB's campaign to destroy the small-business segment of the aviation industry. With the additional authority to levy substantial fines for every violation, no matter how minor, CAB would have no trouble at all accomplishing its objective.

Both the public and civil aviation owe a debt to the nonscheduled airlines. It was the nonscheduled, established by World War II veterans and surplus military planes and without Government subsidy, which first provided low-cost nonluxury coach travel and made it possible for millions of Americans to fly who had never flown before. Air coach is now an accepted form of transportation. Yet I have no doubt that if the CAB had had the power contained in S. 2213 during the years this new industry was growing, all of the small airlines would have been eliminated and the public would not today be enjoying the benefits of low-cost air transportation.

The most serious action by the CAB restricting the operations of the non-scheduled airlines was an order issued in March of last year limiting them to only three flights a month between major points—obviously a level at which no airline could operate and still stay in business. However, a Florida court ruled against this CAB regulation and the district court of appeals has now referred the case to the Supreme Court. Stymied by the courts, the CAB would now be able to achieve the same result by the enactment of S. 2213. In the light of CAB's past behavior, I can only interpret this bill to be a means that I fear would be used to cripple or kill the small airlines.

One member of the CAB, Joseph P. Adams, has vigorously opposed, in one dissent after another, the decisions of his colleagues to eliminate the small airlines and to stifle competition in aviation. Colonel Adams believes that there is a place in aviation for the small airline as well as the large company, and that such a policy in the long run will result in the greatest benefit to the flying public.

In his dissent in the Transcontinental Coach case, for example, he stated:

One purpose of this dissent is to represent the interests of the air-coach travelers who annually find their transportation requirements met only by the operation of the irregular low-fare coach operation. I feel it is my duty to speak for them, he added, and meet if possible their demands and need for law-fare, mass-air transportation. I disagree with the majority in their decision to ignore this vacuum in our present transportation system.

Mr. President, I have tried to outline briefly the steps which the Civil Aeronautics Board has taken in its systematic drive to eliminate the small, independent airlines. I believe this legislation would contribute to that plan.

Mr. President, I object to the present consideration of the bill.

Mr. JOHNSON of Colorado. Mr. President, will the Senator withhold his objection for half a minute?

Mr. SPARKMAN. Certainly.

Mr. JOHNSON of Colorado. Of course, the Senator from Alabama is entitled to his opinion. However, the bill does not pertain in the slightest degree to the controversy which the Senator mentions between the nonscheduled and scheduled airlines.

The only purpose of the bill is to give the Civil Aeronautics Board a lesser penalty to inflict, in order to bring about better operation. This measure has nothing to do with the power which the Civil Aeronautics Board now has to revoke a certificate, which is a severe penalty. It can also go to the courts and bring criminal prosecutions for willful violations. The Board can do all that now. However, this amendment would provide them with a much lesser penalty, which might make for much better operation of the airlines.

It is directed more toward the scheduled airlines than it is toward the nonscheduled. However, if the Senator wants to attack that issue, which does not belong on it, that is his privilege.

The VICE PRESIDENT. The Senator from Alabama objects.

Mr. SPARKMAN. Mr. President, I wonder whether the Senator from Colorado would take his 5 minutes on the bill so that I may reply to his statement.

Mr. JOHNSON. Yes; I yield my time to the Senator from Alabama.

The VICE PRESIDENT. The Senator from Colorado is recognized for 5 minutes and he yields his time to the Senator from Alabama.

Mr. SPARKMAN. I started off by saying that normally I would support this type of legislation. I recognize the merits of it, as outlined by the able Senator from Colorado. But, Mr. President, if given this power the CAB could do with the nonscheduleds what they have been unable to do so long as the courts have protected them. It does tie in because the regulations which the Civil Aeronautics Board has issued with reference to irregularity of flying were held by the court to be defective. The CAB says the nonscheduleds can operate, provided they do not operate too frequently. If given the power contained in the bill, the Civil Aeronautics Board could penalize those companies for violations of indefinite regulations and could take action against them, whereas in the past they have been stymied in that direction by the courts.

So far as revoking permits is concerned and so far as putting them out of business is concerned, I could give several illustrations along those lines. The most outstanding case is the one in which the Civil Aeronautics Board ordered the small line which was serving Alaska to discontinue its service after 30 days. There was a near revolt in Alaska because many people depended on the airline for their fresh vegetables and other food. What happened was that when the company saw that it was going out of business at the end of 30 days, and could be choked off at the end of that time, it stopped operations immediately. The Board said that the airline did it in order to embarrass the Board, and that it should have continued to serve to the end of the 30 days. The line was later reinstated by court action. It is still continuing operations.

However, if given this power, the Board could step in with a penalty here and a penalty there, a hundred-dollar fine here and a thousand-dollar fine there, and thus penalize the small lines. Many of the small lines are operated by veterans of World War II to whom the Government sold surplus planes and whom the Government has encouraged to go into business for themselves after the second World War. The Board could step in and put them out of business. I know it might be said that they will not do it. That is the point I wish to make. They have demonstrated by their unfriendliness in the past to the small veteran-operated airlines that they will do it in the future, and I am not willing to take the risk of giving them power, which they may misuse. They have shown their inclination to misuse it, and I am confident that they will again misuse it, as Colonel Adams has so well

pointed out in several dissenting opinions.

Therefore, much as I regret to do so, I feel constrained to object.

The VICE PRESIDENT. Objection is heard; the bill goes over.

REVOCATION OF WATER CARRIER CERTIFICATES AND PERMITS— BILL PASSED OVER

The Senate proceeded to consider the bill (S. 2364) to authorize the Interstate Commerce Commission to revoke or amend, under certain conditions, water-carrier certificates and permits, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment on page 2, line 5, after the word "act", to strike out "or for failure to engage in, or to continue to engage in, the operation authorized by such certificate or permit. The right to engage in transportation in interstate or foreign commerce by virtue of any certificate or permit, or any application filed pursuant to the provisions of subsection (a) of this section, or temporary authority under section 311 (a), may be suspended by the Commission upon reasonable notice of not less than 30 days to the carrier, but without hearing, for failure to comply, and until compliance, with the provisions of section 306 (a) or" and in lieu thereof to insert "or with any lawful order, rule, or regulation of the Commission promulgated thereunder, or with any term, condition, or limitation of such certificate or permit, or for willful failure to engage in, or to continue to engage in, the operation authorized by such certificate or permit. The right to engage in transportation in interstate or foreign commerce by virtue of any certificate or permit, or any application filed pursuant to the provisions of subsection (a) of this section, or temporary authority under section 311 (a), may be suspended by the Commission upon reasonable notice of not less than 15 days to the carrier, but without hearing, for failure to comply, and until compliance, with the provisions of section 306 (a) or 306 (e) or with any lawful order, rule, or regulation of the Commission promulgated thereunder", so as to make the bill read:

Be it enacted, etc., That section 309 of the Interstate Commerce Act (49 U. S. C., sec. 909) is amended by adding at the end thereof the following new subsection:

"(h) Certificates and permits shall be effective from the date specified therein, and shall remain in effect until suspended or terminated as herein provided. Any such certificate or permit may, upon application of the holder thereof, in the discretion of the Commission, be amended or revoked, in whole or in part, or may upon complaint, or on the Commission's own initiative, after notice and hearing, be suspended, changed, or revoked, in whole or in part, for willful failure to comply with any provision of part III of the Interstate Commerce Act, or with any lawful order, rule, or regulation of the Commission promulgated thereunder, or with any term, condition, or limitation of such certificate or permit, or for willful failure to engage in, or to continue to engage in, the operation authorized by such certificate or permit. The right to engage in transportation in interstate or foreign commerce by virtue of any certificate or per-

Speech in the House by Rep. Multer stating that the defense production bill was not good but was better than having no controls at all (pp. A4454-5).

51. APPROPRIATION INVESTIGATIONS. Extension of remarks of Rep. Bates discussing his proposed bill to amend the Legislative Reorganization Act of 1946 so as to provide the Armed Services and Appropriations Committees with staffs adequate to keep them fully informed (p. 4455).
52. FARM PROGRAM. Extension of remarks of Rep. Hill discussing the principle of "parity," outlining the history of some of the basic agricultural laws, and commending USDA programs for aid to the farmer (pp. A4458-9).
53. RETIREMENT. Speech in the House by Rep. McDonough favoring an increase in pensions for retired Federal employees (p. A4458).

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54. DEFENSE APPROPRIATION BILL, 1953. Agreed to the conference report on this bill, H. R. 7391 (pp. 9517, 9482-97). The conferees agreed to add cotton and re-processed and reused wool to the provision governing procurement of food and clothing not produced in the U. S.
55. STATE, JUSTICE, COMMERCE, JUDICIARY APPROPRIATION BILL, 1953. Agreed to the conference report on this bill, H. R. 7289 (pp. 9517, 9498-504). The conferees agreed on a provision that no appropriation may be used for U. S. membership in the International Materials Conference but explained that this does not preclude the State Department from observing the activities as a non-member; fixed the census of agriculture item at \$120,700 (House figure, \$125,000; Senate, \$116,382); and agreed to \$5,750,000 (House figure; Senate, \$5,504,300) for export control, Commerce Department.
56. PERSONNEL RETIREMENT. Received the conference report on S. 2968, to increase the annuities of certain retired Federal employees (pp. 9511-12, 9517).
57. RURAL HOUSING. By a 295-22 vote, agreed to the conference report on S. 3066, to amend the housing laws. One provision of this bill extends the rural-housing program, administered by this Department, for 1 year. (pp. 9450-53.) This bill will now be sent to the President.
58. SUPPLEMENTAL APPROPRIATION BILL, 1953. House conferees were appointed on this bill, H. R. 8370 (p. 9451). Senate conferees were appointed July 3.
59. WITHHOLDING PAY. Vacated proceedings of passage on July 3 of S. 1999, providing for the withholding of pay from Federal employees for State and local income-tax purposes, and again passed the bill with a correcting amendment that provided new language (pp. 9447-8).
60. PROPERTY; ADMINISTRATIVE SERVICES. Agreed to the Senate amendments to H. R. 5350, to amend the Federal Property and Administrative Services Act of 1949 (pp. 9464-5). For provisions see item 28. This bill will now be sent to the President.
61. SCHOOL LUNCH PROGRAM. Agreed to the Senate amendments to H. R. 1732, to increase the allotments for school lunches to Alaska, Hawaii, Guam, Puerto Rico, and the Virgin Islands (p. 9465). This bill will now be sent to the President.
62. RECLAMATION. Agreed to a Senate amendment to H. R. 6163, providing the basis

62. for authorization of a study and report of irrigation works in connection with Chief Joseph Dam, and to provide for financial assistance thereto from power revenues (p. 9506). This bill will now be sent to the President.
63. VETERANS' PREFERENCE. Agreed to a Senate amendment to H. R. 7721, extending the Veterans' Preference Act of 1944 to persons serving in the armed forces after World War II and prior to July 2, 1955 (p. 9507). This bill will now be sent to the President.
64. CENSUS. Agreed to a Senate amendment to H. R. 7202, to provide that a census of agriculture be taken in Oct. 1954 and the same month in each tenth year thereafter (p. 9507). This bill will now be sent to the President.
65. PERSONNEL. Agreed to the Senate amendments to H. R. 7806, to authorize participation by certain Federal employees, without loss of pay or deduction from annual leave, in funerals for deceased members of the armed forces returned from abroad for burial (p. 9507). This bill will now be sent to the President.
66. FOREIGN TRADE. Agreed to a Senate amendment to H. R. 6845, to continue until June 30, 1953, the suspension of duties and import taxes on metal scrap, etc. (p. 9508). This bill will now be sent to the President.
67. PATENTS. Agreed to a Senate amendment to H. R. 7794, to revise and codify the laws relating to patents (p. 9508). This bill will now be sent to the President.
68. EDUCATION. Passed as reported H. R. 7494, to encourage the development and growth of the educational fine arts in State and land-grant colleges and other non-profit schools and organizations (p. 9466).
69. WATER COMPACT. Agreed to the Senate amendments to H. R. 2470, granting consent for an interstate compact regarding Columbia River waters (p. 9468). This bill will now be sent to the President.
70. PERSONNEL; PATENTS. Agreed to a Senate amendment to H. R. 3975, permitting a Government employee, and his joint patentee, not in government service, who make an invention completely outside of official functions, to maintain a suit against the Government (pp. 9510-11). This bill will now be sent to the President.
71. TRANSPORTATION. Passed with amendment S. 3161, to provide for filing of equipment trust agreements on railroad equipment (p. 9511).
72. FLAMMABLE MATERIALS. The Interstate and Commerce Committee ordered reported (but did not actually report) S. 2918, to prohibit movement in interstate commerce of highly flammable wearing apparel and fabrics (p. D706).
73. MISSOURI BASIN. Received from this Department a supplemental report on the Missouri Basin Agricultural Program (H. Doc. 530)(p. 9516).
74. SOCIAL SECURITY. Extension of remarks of Rep. Garmatz supporting H. R. 7800, to increase retirement benefits under the Social Security Act (pp. 9504-5).
75. WEATHER CONTROL. Received the fourth interim report by the Chief of the Weather Bureau on the study of causes and characteristics of thunderstorms; to Interstate and Foreign Commerce Committee (pp. 9516-7).

Page 5, line 11, strike out "245" and insert "345."

Page 6, after line 10, insert:

"Sec. 2. Section 29 of the World War Veterans' Act, 1924 (43 Stat. 615; 38 U. S. C. 455), as amended by section 3 of the act of October 31, 1951 (Public Law 247, 82d Cong.), is further amended by adding at the end thereof the following sentence: 'The proceeds from such leases, less expenses for maintenance, operation, and repair of buildings leased for living quarters, shall be covered into the Treasury of the United States as miscellaneous receipts.'"

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON GOVERNMENT OPERATIONS: AUTHORITY TO FILE REPORTS

Mr. HARDY. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 736.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Government Operations may report to the House at any time during the present Congress the results of any study, survey or investigation made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BENCH LAKE IRRIGATION COMPANY OF HURRICANE, UTAH

Mr. GRANGER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7305) to authorize the sale of certain land in Utah to the Bench Lake Irrigation Co., of Hurricane, Utah, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, after line 8, insert:

"Sec. 3. There are hereby reserved to the United States all rights to minerals, including oil and gas, in the lands authorized to be conveyed by this act."

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AMENDING THE NATIONAL SCHOOL LUNCH ACT

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1732) to amend the National School Lunch Act

with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, and the Virgin Islands, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, after "Rico", insert "Guam."

Page 2, line 6, preceding "and" insert "the apportionment for Guam."

Page 2, line 9, after "Rico", insert "Guam."

Page 2, line 14, after "Rico", insert "Guam."

Page 2, after line 16, insert:

"(c) Section 11 (d) (1) of the National School Lunch Act (42 U. S. C., sec. 1760 (d) (1)) is amended to read as follows:

"(1) 'State' includes any of the 48 States, the District of Columbia, Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands."

Page 2, line 17, strike out "(c)" and insert "(d)."

Amend the title so as to read: "An act to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMENDING THE TARIFF ACT OF 1930 WITH RESPECT TO IMPORTATION OF FEATHERS OF WILD BIRDS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7594) to amend the Tariff Act of 1930 with respect to the importation of the feathers of wild birds, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 5, after line 18, insert:

"Sec. 5. The Secretary of the Treasury is authorized and directed to admit free of duty a certain carillon of 23 bells to be imported for the Citadel, Charleston, S. C."

Amend the title so as to read: "An act to amend the Tariff Act of 1930, with respect to the importation of the feathers of wild birds, and to admit free of duty a carillon for the Citadel, Charleston, S. C., and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VICTORY BIBLE CAMP GROUND, INC.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1558) to authorize the sale of certain public land in Alaska to Victory Bible Camp Ground, Inc., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 9, after "deposits" insert "including oil and gas."

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CATHOLIC BISHOP OF NORTHERN ALASKA

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3494) to authorize the sale of certain public land in Alaska to the Catholic Bishop of Northern Alaska for use as a mission, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 6, insert:

"Sec. 3. There are hereby reserved to the United States all rights to minerals, including oil and gas, in the lands authorized to be conveyed by this act."

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CHARLES A. GANN

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 651) to provide for issuance of a supplemental patent to Charles A. Gann, patentee No. 152,419, for certain land in California, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arizona? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ENGLE, ASPINALL, and D'EWART.

CONVEYANCE TO THE TOWN OF DEDHAM, MAINE, OF A CERTAIN STRIP OF LAND

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2190) to provide for the conveyance to the town of Dedham, Maine, of a certain strip of land situated in such town and used as a road right-of-way, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arizona? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ENGLE, ASPINALL, and D'EWART.

AUTHORIZING THE COMMISSIONER OF EDUCATION TO ENCOURAGE DEVELOPMENT AND GROWTH OF THE EDUCATIONAL FINE ARTS PROGRAM

Mr. HOWELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7494) to authorize the Commissioner of Education to encourage the further development and growth of the educational fine arts programs in State and land-grant and other accredited nonprofit colleges and universities, and in other nonprofit organizations, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. HALLECK. Reserving the right to object, what committee reported this bill?

Mr. HOWELL. The Committee on Education and Labor. There was a unanimous report.

Mr. HALLECK. Did the gentleman talk to the gentleman from Pennsylvania [Mr. McCONNELL] about it?

Mr. HOWELL. Yes.

Mr. HALLECK. Did he say it was O. K.?

Mr. HOWELL. Yes.

Mr. HALLECK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to encourage the further development and growth of the educational fine arts programs in State and land-grant and other accredited nonprofit colleges and universities and in other nonprofit organizations, the Commissioner of Education is authorized to make provision for bringing to Washington, D. C., and to other communities in the United States where the Federal Government or the government of the District of Columbia has suitable space under its jurisdiction, for public presentation, fine-arts productions of such colleges and universities and nonprofit organizations.

Sec. 2. Upon the request of any college, university, or nonprofit organization approved for the purposes of the first section of this act by the Commissioner of Education, the General Services Administration, or the District of Columbia government, as the case may be, is authorized to make available without charge to any such college, university, or nonprofit organization for the presentation of fine-arts productions under this act and the sale of tickets of admission thereto, any suitable space subject to the jurisdiction and control of any department or agency of the Federal Government or the District of Columbia government with the concurrence of the department or agency concerned; but in providing suitable space for the presentation of such productions neither the Federal Government nor the government of the District of Columbia shall incur any expenses or assume any financial responsibility except those incidental to the furnishing of heat, light, and custodial services necessary for such productions in such space.

Sec. 3. The Commissioner of Education is authorized to receive contributions of money, materials, and other property from any source to aid in developing the programs

authorized by this act. Any contributions of money so received shall be covered into the Treasury to the credit of a special fund, which shall be available to the Commissioner of Education for developing and carrying out the program authorized by this act. The financial transactions of the Commissioner of Education under this act shall be audited at least once each year by the General Accounting Office in accordance with such rules and regulations as may be prescribed by the Comptroller General of the United States.

Sec. 4. For the purposes of this act—

(1) The term "fine arts" includes living drama and music, opera, literature, architecture, sculpture, painting, ballet, and dance.

(2) The term "nonprofit organization" means any public or private foundation, charitable trust, or other organization (whether or not incorporated), no part of the net earnings of which inures to the benefit of any of its stockholders or members.

With the following committee amendments:

Page 1, line 7, beginning with the word "to," strike out down to and including the word "organizations", page 2, line 3, and insert "to assist in making arrangements for the public presentation in Washington, D. C., of fine-arts productions of such colleges and universities and nonprofit organizations"

Page 3, strike out lines 3 to 14, inclusive. Page 3, line 15, strike out "4" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBERT O. HOLLAND AND BERGTOR HAALAND

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5238) for the relief of Albert O. Holland and Bergtor Haaland, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 8, after "state," insert "while employed in Venezuela under contract with the Venezuelan Government."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

HARRIS A. BAKKEN

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 746) for the relief of Harris A. Bakken, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 6, strike out "\$3,692.80" and insert "\$3,692.02, plus interest which has since accrued."

Line 10, strike out "\$3,692.80" and insert "\$3,692.02, plus interest on such sum."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SHELBY SHOE CO., OF SALEM, MASS.

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1095) for the relief of Shelby Shoe Co., of Salem, Mass., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That (a) in full settlement of the claim of the Shelby Shoe Co., of Salem, Mass., against the United States for losses sustained by it as a result of contract No. W 19-074qm-4267, dated May 21, 1946, with the Procurement Division of the Department of the Army, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriate, the sum of \$84,498.98 to the clerk of the United States District Court for the District of Massachusetts who shall use such sum (1) to pay to each unsecured creditor of said Shelby Shoe Co., after giving notice and upon demand therefor, as provided in subsection (b), the unpaid balance of his claim against such company appearing in schedules heretofore filed, under chapter 11 of the Bankruptcy Act, in the Shelby Shoe Co. bankruptcy case, No. 70372, and (2) to pay the balance of such sum, after making the payments authorized in (1) and deducting all incidental expenses incurred in the disbursement of such sum, to said Shelby Shoe Co.; but nothing contained herein shall authorize the payment to any such creditor of interest on the unpaid balance of his claim against such company.

"(b) Upon receipt of the sum herein authorized to be paid to the Secretary of the Treasury, said clerk shall cause notice to be published not less than once in each of three successive weeks in one or more newspapers of general circulation, and a copy thereof sent by registered mail to the last known address of each of the creditors described in subsection (a), advising such creditors of the provisions of this act. No such creditor shall be entitled to any payment under this act unless he shall file with said clerk a written claim therefor within 3 months after the date of such notice shall be last published, or the date such notice shall have been mailed to his last known address, whichever is the later.

"(c) No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Public Law 518 - 82d Congress
Chapter 699 - 2d Session
H. R. 1732

AN ACT

All 66 Stat. 591.

To amend the National School Lunch Act with respect to the apportionment of funds to Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the second sentence of section 4 of the National School Lunch Act (42 U. S. C., sec. 1753) is amended to read as follows: "The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the aforesaid funds made available for such year for supplying agricultural commodities and other foods under the provisions of this Act. The total of such apportionments of funds for use in Puerto Rico, Guam, and the Virgin Islands shall not exceed 3 per centum of the funds appropriated for agricultural commodities and other foods for the school-lunch program; except that in the case of the first apportionments of funds from any annual or supplemental appropriation (and only in such case), the apportionment for Puerto Rico, the apportionment for Guam, and the apportionment for the Virgin Islands, shall be not less than that amount which will result in an allotment per child of school age equal to the allotment per child of school age in the State (other than Puerto Rico, Guam, and the Virgin Islands) having the lowest per capita income among the States participating in such first apportionments."

National
School Lunch
Act, amend-
ment.
60 Stat. 230.

(b) The last sentence of section 5 of such Act (42 U. S. C., sec. 1754) is amended to read as follows: "Apportionments of funds for use in Puerto Rico, Guam, and the Virgin Islands for nonfood assistance shall be determined subject to the provisions of the third sentence of section 4."

60 Stat. 231.

(c) Section 11 (d) (1) of the National School Lunch Act (42 U. S. C., sec. 1760 (d) (1)) is amended to read as follows:

60 Stat. 234.

"(1) 'State' includes any of the forty-eight States, the District of Columbia, Hawaii, Alaska, Puerto Rico, Guam, and the Virgin Islands."

(d) The amendments made by this Act shall be effective only with respect to sums appropriated after the date on which this Act is enacted.

Approved July 12, 1952.

